HOUSE OF ASSEMBLY

Wednesday, November 19, 1969.

The SPEAKER (Hon. T. C. Stott) took the Chair at 2 p.m. and read prayers.

GIFT DUTY ACT AMENDMENT BILL

His Excellency the Governor's Deputy, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

AGENTS BILL

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QUESTIONS

ENGLISH EXAMINATION

The Hon. D. A. DUNSTAN: I have had given to me a circular which has been sent out by the supervisor of Leaving English marking and which informs examiners in Leaving English that enclave marking will be proceeded with this year, that scripts will be marked centrally in sessions of about two and a half hours, and that markers will be expected to assess (that is, to grade) 100 questions in that time. That allows one and a half minutes to assess each question. I appreciate that examiners may be under some pressure, but to me the proposal seems extraordinary and makes insufficient provision for adequate assessment of the answers. One of the markers normally employed has pointed out to me that, when students quote from set texts, it is necessary to check the text because the examiner cannot be expected to rely on memory for the exact terms of a quotation and that to do this in assessing, in a minute and a half, an answer to a question would be impossible. Will the Minister of Education take up this matter urgently with the Public Examinations Board to find out whether some better time to assess answers to questions cannot be allowed in the marking of what is an extremely important examination?

The Hon. JOYCE STEELE: I have not seen the circular to which the Leader has referred. As I am not a marker, this would not be referred to me. It comes within the jurisdiction of the Public Examinations Board and a reply to the question would necessitate my calling for a report. I undertake to do that and to reply as soon as I can.

STATE FINANCES

The Hon. B. H. TEUSNER: Can the Premier make a statement about the conference that he and other State Premiers attended in Canberra yesterday to discuss the position arising from the High Court's decision regarding the receipts tax in Western Australia?

The Hon. R. S. HALL: I think I can say that the climate was warm and so were the hearts of members of the Commonwealth Government in Canberra yesterday. It was a pleasure to receive the co-operation that the State Governments received when the Commonwealth Government agreed that, if the stamp duties of the States were declared to be invalid on another test case being put to the High Court, it would enact its own legislation to enable the States to collect the same amount of money, with Commonwealth legislative approval. The cases being considered by the Western Australian and Victorian Governments as a submission for adjudication by the High Court are being considered on their merits, in that they would have to cover as wide an ambit of the application of the tax as possible to ensure that any decision given applied as widely as possible and resolved present doubts about the validity of the various stamp duty laws. I consider that, if co-operation continues from the companies involved (I think there are two, one in Western Australia and one in Victoria), this matter is expected to be submitted to the High Court quickly, and, with the co-operation of the court, a decision may be made quickly. The Commonwealth Government's attitude was extremely helpful. I appreciated the contacts I had with the various Ministers socially and semi-officially, and I also appreciated the conference with the Prime Minister and the Treasurer. It was a matter of great satisfaction to the States to receive Commonwealth Government support in this matter.

Mr. HUDSON: Much dissatisfaction has been expressed in certain quarters that the consequence of the parlous state of Commonwealth-State financial relations has forced State Governments into new forms of taxation, such as the receipts tax, which now appear to be about to become permanent features of our revenue situation. Can the Premier say whether the South Australian Government or any other State Government has suggested to the Commonwealth Government that, rather than the Commonwealth's imposing the receipts tax on behalf of the States should the States' receipts taxes be declared unconstitutional, adjustments be made instead to existing forms of taxation,

so that we do not get the spectacle that we have had of a never ending multiplicity of taxes which inevitably is not as efficient, from the administrative point of view, as concentrating on existing taxes? Further, was there any discussion that the formula governing the tax reimbursement payments to the States by the Commonwealth would be reviewed with a view to ensuring that in future these tax reimbursement grants would be adequate to meet the expanding needs of State Governments, or was the discussion concentrated entirely on the subject of the receipts tax?

The Hon. R. S. HALL: The discussion was centred mainly on the receipts tax and the immediate problems referred to in the announcements made by the Prime Minister and the various Premiers after the conference concluded. Of course, other matters were discussed informally. As the honourable member will appreciate, the meeting was held in a closed room: it would not have been held in the frank manner in which it was held had it not been held in a closed room. For that reason, I cannot comment about it and risk prejudicing any discussions that will take place at the more important and farther-reaching conference in February. All I can say about that conference is that the Commonwealth and the States fully recognize the importance of having the conference, of the need to prepare for it, and of presenting a wide range of views so that matters may be fully ventilated and a satisfactory result achieved at the rewriting of the new agreement in 1970.

The only comment I will make regarding the honourable member's reference to whether this tax is to be a permanent feature of the scene is that, in all of the talk about taxation, about the Commonwealth-State relationship, and about the need for additional money to erect more buildings and to provide new facilities and services in the community, we sometimes forget that, whether the State Government or the Commonwealth Government imposes the taxes, there is but one taxpayer. There is no secret or separate pool of funds from which one can draw without impinging on the taxpayer. Whether it be the Commonwealth Government or the State Government that imposes the tax, each of us individually will pay and it will cost us the same. Therefore, we should continue to remind the community, which we serve in this matter and for the future of which we desire much more satisfactory Commonwealth-State financial relations, that whatever adjustment is made to the present relations or whatever additional source is made available to the Government the taxpayer will provide it.

Mr. HUDSON: A report in today's *News*, in amplification of the results of the conference the Premier attended yesterday, states:

The Commonwealth's guarantee on receipts taxes will apply only for this financial year. Government officials said today the Commonwealth's offer contained no continuing commitment. The offer, made to the State Premiers by the Prime Minister, Mr. Gorton, yesterday is for the Commonwealth to collect receipts taxes if the High Court rules the States cannot collect them. Although the proposition is only short-term, the Government will consider State representations for a tax on a long-term basis.

Obviously, if some additional portion of the State receipts tax is declared unconstitutional by the High Court of Australia, it is ridiculous to have any short-term proposition to replace those receipts taxes declared unconstitutional unless the Commonwealth Government is proposing a complete change in the overall basis of Commonwealth-State financial relations. Will the Premier indicate, first, whether the report in the *News* is an accurate report of the result of yesterday's conference? Secondly, if it is an accurate report, will he say whether the Commonwealth Government will seriously consider a permanent solution to the financial problems of State Governments?

The Hon. R. S. HALL: I do not know whether I should interest myself in the honourable member's question or his argument. On referring to Standing Orders, however, I find that his argument is out of order in any case, so I can leave that as a matter of opinion. The reply is as set out in the *News*. The honourable member is rather slow in picking up the threads of the announcement if he has only just found this out. However, the announcement has been made that the Commonwealth Government will support the taxation measures and will discuss with the States next year a method whereby a permanent solution and framework may be worked out regarding Commonwealth-State financial relations. There is no significance in the fact that it is one year or 10 years in relation to next year's conference, which will determine what powers the Commonwealth Government and the States have. I hope that they will be parallel and not divergent paths. The situation is as announced in yesterday's *News* by the Prime Minister and the Premiers, and there is no significance in the reference made by the honourable member, except that he is correct. The guarantee is for this year pending next year's talks on confirmation or other action.

DENTAL CLINICS

Mr. CORCORAN: My question refers to the establishment of dental clinics throughout the State consequent on the training of dental therapists. I was told, I think by the Premier in reply to a previous question, that one of these clinics would be established at the Millicent North Primary School, I think commencing at the beginning of the next school year. Will the Premier ask the Minister of Health what progress has been made in this matter, and whether the clinic at the Millicent North Primary School will commence operating at the beginning of next school year?

The Hon. R. S. HALL: I shall be pleased to ask my colleague what the present situation is. However, on visiting the honourable member's district last week and sampling the magnificent vegetables grown there, I should think that, if his constituents ate enough of them, they would need less dental care than did people living in other districts.

TIGER COUNTRY

Mr. McANANEY: I understand that only about 10 per cent of the land in counties Buckingham and Chandos (what is known as the tiger country) is to be made available for allocation. As many people are interested in this matter, can the Minister of Lands say what part of the remainder is to be dedicated as a national park or reserve?

The Hon. D. N. BROOKMAN: The proposed development of part of the land in counties Buckingham and Chandos follows an inquiry by the Land Settlement Committee and legislation introduced by the previous Government and supported by all sections of both Houses to make it possible. The proposal is to offer for allotment no more than one-tenth of the available Government land in that area, and even that is contingent on the type of application received. It is by no means certain that much enthusiasm will be shown by people to develop it, but the allocation will be considered in the light of economics when the allotments are made available and the proper conservation of the soil. At about the same time about 50 per cent more of that land (in other words, 75,000 acres) will be dedicated as a national park and, as the honourable member is aware, it cannot then be alienated without the use of an extremely tortuous process: I think it fair to say that it will not be alienated. Of the remaining 375,000 acres, the future of which has not yet been decided, a large part will almost certainly become a national park in the future. People may ask, "Why not declare it a national park immediately?" I think it is in the State's interest that such large areas should not be declared without their management being considered. It might be more appropriate if this dedication were considered later. Summarizing, the area to be developed under special conditions is 50,000 acres, there is to be a park of 75,000 acres, and the use of the balance of the area is to be considered in the future. However, I forecast that most of the remainder will be a national park.

DEVON PARK HOUSES

The Hon. C. D. HUTCHENS: Recently, I received a letter that referred to a group of houses built in Devon Park by the Housing Trust in the same year, each having similar facilities, situated in Churchill Road, Kingdom Place, Gurr Street, and Devonport Terrace. It is said that the houses in the first two streets named, which are owned and controlled by the Housing Trust, are let at a rent of about $6 a week. However, it is claimed that houses in Gurr Street, owned and controlled by the South Australian Railways and let to railway employees, are let at $8 a week, while houses in Devonport Terrace, which are also owned and controlled by the S.A.R., are let to railway employees at a rent exceeding $8 a week. As all of these houses were built at about the same time and are identical in practically every respect, I ask the Minister of Housing to see whether the claims are correct. If they are correct, will he ascertain the reason for the variations in rent?

The Hon. G. G. PEARSON: I am not sure from the honourable member's question when these houses were built.

The Hon. C. D. Hutchens: Many years ago.

The Hon. G. G. PEARSON: I assumed that. I will inquire as the honourable member requests. I should think that the tenants of the trust houses in this area have been tenants for a long time, that the rent was fixed when they took over the original tenancy, and that, therefore, these rents have not been up-dated to the level that would apply today if these houses became vacant and were relet to a new tenant. It is the Housing Trust's policy (and I think most members would agree with this), apart from nominal increases in rents such as were applied generally by the trust this year, not to charge long-term tenants with the rent applicable to a new tenancy entered into at that time. I should think that this probably explains why some houses are let at the rental referred to by the honourable

member and why the rents of other practically identical houses nearby that are owned by the Railways Department are somewhat higher. However, I will verify that for the honourable member.

BLACK FOREST LAND

Mr. LANGLEY: For some time the Education Department has owned land close to the Black Forest Demonstration School. Because of a condemned house standing in the area, this land has been a little out of shape and therefore not really satisfactory for use as a sports ground. This house has now been demolished and I believe the address of the owner of the land is now known (for some time he has not been easy to contact). In view of the land's becoming available, can the Minister of Education say whether arrangements regarding its purchase have been finalized so that the school may soon have its own playing area and sports ground?

The Hon. JOYCE STEELE: I will obtain a report for the honourable member.

GAUGE STANDARDIZATION

Mr. VENNING: Has the Premier a reply to the question I recently asked about the opening of the Port Pirie to Broken Hill standard gauge railway line? Perhaps at this stage also, the Premier may wish to comment on his visit to Canberra yesterday and say whether anything was said there about the next stage of standardization work to be undertaken in this State.

The Hon. R. S. HALL: Although the official opening ceremony of the standard gauge link between Sydney and Perth is at Broken Hill on November 29, 1969, the first train will not run on the railway line between Broken Hill and Port Pirie until January 12, 1970. The first train will, in fact, be a freight train. I have accepted an invitation to be present at that ceremony, at which I believe I shall have the opportunity to say a few words (well chosen, I hope) about the gauge standardization programme. The Commonwealth Minister for Shipping and Transport (Mr. Sinclair), in a brief discussion I was able to have with him yesterday during the short luncheon break, indicated his concern that standardization work on the other lines in South Australia should proceed as swiftly as possible. The Minister told me that this was his aim for the future. Therefore, with Commonwealth Government support there should be no delay beyond the normal administrative one and the time necessary for the consultants to report. The Commonwealth Government's thinking is certainly "full steam ahead" in relation to these projects.

TEXTBOOKS

The Hon. R. R. LOVEDAY: The Minister of Education will no doubt be aware that the advantages and disadvantages of the rationalization of textbooks have been discussed for many years, and at present a basic textbook on biology is in common use throughout all schools in Australia. I believe there is further scope for examination of this matter to see whether more textbooks of a common nature could be introduced without in any way limiting the freedom of teachers to use other textbooks. This would eliminate some of the disadvantages of having such a variety of textbooks in the various States and at the same time probably afford the department an economy in the purchase of those books. Will the Minister say whether any recent investigation has been made concerning the extension of the common textbook use within the context I have mentioned? If it has not, could further investigations be made, possibly under the aegis of the Australian Education Council?

The Hon. JOYCE STEELE: I agree with the honourable member that rationalization of textbooks would present many advantages, although there may be some disadvantages. I have in mind the children of people who are transferred from one State to another, and this could be of some advantage to them. I believe that this matter is currently being discussed by the Directors-General who, as the honourable member knows, have their own standing committee and who make recommendations when the Ministers meet as the Australian Education Council. As the next meeting of the council is to be held in Perth next February, I will inquire whether this matter is currently being considered by the Directors-General.

LUCINDALE COTTAGES

Mr. RODDA: My question concerns two railway cottages in Musgrave Avenue, Lucindale, which matter has been raised several times. These two cottages are preventing the completion of the main street in Lucindale. There has been argument over the years about who is responsible for the removal of the cottages, which have recently been used. Are the cottages required by the Railways Department? If they are not required by the department, will the Attorney-General, representing the Minister of Roads and Transport, inquire whether they can be disposed of, thereby

affording the local government authority the chance to complete the work in Musgrave Avenue?

The Hon. ROBIN MILLHOUSE: I will inquire.

ELIZABETH INDUSTRY

Mr. CLARK: I was informed yesterday that the firm of Towmotors of Elizabeth West is to discontinue operations and that members of its staff of between 50 and 70 have been given notice. As this move would be a serious blow to that area, particularly with Christmas approaching, I hope my information is not correct. Will the Premier say whether this information is correct and, if it is correct, will he ascertain the reasons for the closure?

The Hon. R. S. HALL: Unfortunately, it is true that Towmotors will cease operations at Elizabeth, and I understand that 65 employees are involved. I also understand that the employees have been given very good severance conditions which will help them whilst they are finding alternative employment. Although it is disappointing that a firm such as this should leave Elizabeth, there is a specific reason for the move: it is the policy of the company in every country in which it operates to centralize its operations. It was decided some years ago that the Caterpillar company (the main company in the Australian group) should also follow the company policy.

Mr. Clark: They are going back to Melbourne.

The Hon. R. S. HALL: The management decided this some years ago, as the honourable member knows. In this case the management is centralizing in Melbourne the division of Towmotors. Whilst this is disappointing, especially for those people involved and for the Government because of the almost unbroken run of successes we have had in Elizabeth in the last year or so, one must view the move in its proper perspective. It is not the result of a failure of industrial conditions or of the economic scene, nor is it the result of a lack of demand. There was nothing this Government or State could have done: the move is simply the result of company policy.

Mr. Broomhill: They should have centralized here.

The Hon. R. S. HALL: Yes, but the decision not to was made during the term of Government of the honourable member's own Party and before my Government came into office. I would not have intruded that into my reply but for the honourable member's interjection. The operations of the firm should have been centralized here but they are to be centralized in Victoria. It is as well to look at this in its proper perspective and to know that opportunities for employment and industrial growth at Elizabeth are recognized as being much improved. I was reminded of this last Monday when I addressed the Chamber of Commerce at Elizabeth on various industrial matters in South Australia. People involved in commerce and industry at Elizabeth have a very high morale at present and, although I am not underestimating the effect it will have on the people concerned, I should be greatly disappointed if this small break in the industrial progress of Elizabeth were to be overestimated in relation to the total progress at Elizabeth. The transfer of many companies to Elizabeth in the last year or so and the expansion of existing industries there dwarf any significance the removal of Towmotors may have.

Mr. CLARK: I thank the Premier for his reply. He will appreciate that often in cases such as this rumours are spread, and it is well that they be allayed. As the Premier has said that he understands that good severance pay is being paid to employees of the factory, can he say just what the severance pay will be?

The Hon. R. S. HALL: When I had discussions with officers of the Industrial Development Branch, these matters were put to me, but I do not remember all the details. I will see whether this information is available and, if it is, I will bring it down for the honourable member.

MURRAY BRIDGE ADULT EDUCATION

Mr. WARDLE: The adult education centre at Murray Bridge is one of the largest in the State outside the metropolitan area and it has been reported in the local press that about $198,000 is to be spent on the centre. Will the Minister of Education inquire whether plans for the project have been completed; whether tenders have been called; whether the present welding shop and toilet block will be moved to make room for the new building; and when work on the project is expected to begin?

The Hon. JOYCE STEELE: I recall very well having visited the Murray Bridge Adult Education Centre in company with the honourable member and being most impressed by the scope of the work undertaken there and by the number of enrolments, which has justified the Government in approving the new centre to be established at Murray Bridge. As I will have to ask for the latest information to supply the details required by the honourable member, I will do this and bring down a report as soon as possible.

BURRA COURTHOUSE

Mr. ALLEN: Has the Minister of Lands, representing the Minister of Works, a reply to my recent question about the new Burra courthouse?

The Hon. D. N. BROOKMAN: It is intended to call tenders in January, 1970, for the construction of a new police station, courthouse and residence at Burra. Subject to a tender's being acceptable, work on the site is expected to commence in March, 1970.

PORT PIRIE LAND

Mr. McKEE: Has the Minister of Education a reply to the question I asked recently about the proposal of the Education Department to build departmental residences on the corner of Balmoral Road and The Terrace, Port Pirie?

The Hon. JOYCE STEELE: I have no further report yet.

HILLS BORES

Mr. GILES: Several areas throughout the Adelaide Hills are being subdivided into blocks of land to be used for housing. Some of these areas that have been used by gardeners for vegetable and fruit growing already have on them high-yielding bore-water systems. Will the Attorney-General request the Minister of Local Government to ask the Director of Planning to consider the assets that exist on these properties so that, if the bores yield enough, they can be purchased by the Government and used to supply water to the subdivided area after the houses are built? As the water from the bores throughout the Adelaide Hills is usually of extremely high quality, it would be most suitable for use in such a system. This would enable the people there to enjoy a reticulated water supply to their houses without their having to rely on reservoir water and other outside sources of water. Will the Attorney-General ask his colleague to have this proposal looked at in regard to future subdivisions throughout the Adelaide Hills?

The Hon. ROBIN MILLHOUSE: I will see what my colleague thinks about it.

NATIONAL PARK

Mr. CASEY: Recently the Minister of Lands announced the acquisition of a large tract of land in the Flinders Ranges area in my district, that land to be used as a national park. I wholeheartedly agree with the action taken. Can the Minister say exactly what type of country was purchased; whether the land was held under perpetual or pastoral lease; what the Government paid for the property; and whether the area will be fenced so that the flora and fauna can be preserved and rejuvenated? It is essential that we consider this matter. After all, this is one of the most basic factors in the establishment of national parks. Will the Minister also say whether the Government intends to employ full-time rangers on these national parks where it is in the interests of those concerned to do so?

The Hon. D. N. BROOKMAN: The area referred to by the honourable member was formerly part of Oraparinna station and is immediately north of Wilpena Pound, which is a national pleasure resort. The area south of the pound is, I think, about 60 square miles in area (I do not know the exact size) and includes the main range and the areas of Bunyeroo, Brachina Gorge, Aroona Valley generally, a small range of hills known as the A.B.C. Range, and the main western range. The average width of the area is about four miles or five miles, and I think it is about six miles or seven miles from north to south. It will not be difficult to find out the actual area. Regarding the terms of purchase, I understand that a small portion comprised a miscellaneous lease and the remainder was held under pastoral lease. I do not intend to publicize the purchase price, because there is no real interest in that and I would prefer not to do so. However, I will give the honourable member any details that he desires. In due course the area will be dedicated as a national park under the National Parks Commission, being subject to the same conditions as apply to other national parks in the State. The appointment of rangers must follow eventually, but not necessarily for only that area. The honourable member would appreciate that recently the State Government has spent as much money as it can on acquiring areas for national parks and, admittedly, there are difficulties about spending as much money as we would like on management. I am keen to divert to improvement of the management of the parks as much of our funds as practicable, and this will be done eventually, when this area, which is extremely popular with tourists, particularly in the spring months, will have certain supervision. However, a ranger will not be appointed immediately. It is intended to preserve the fauna and flora in the area as much as possible. Eventually, the area will be fenced and sheep will be kept out of it, although the Commissioners, who are the experts in the matter, may decide that

it would be in the best interests (as well as for reasons of safety) to graze certain areas. The whole object of the purchase is to preserve for the future some of the most popular parts of the Flinders Ranges, for the benefit of tourists.

NORMANVILLE DUNES

Mr. BROOMHILL: The Premier, in reply to a question I had asked about the Normanville sand dunes, last week said he was satisfied that proper precautions were being taken regarding the conditions of the lease held by the company operating at Normanville. Doubtless, the Premier has seen the report in the *Sunday Mail* last weekend, stating that projects of this nature can adversely affect beaches and quoting a statement by a reader in geography at the University of Adelaide that any roads built along the surface of the coast can cause problems. The report also states that the agreement between the Yankalilla council and Australian Consolidated Industries includes provision for an easement for a road to be built along the bottom of the sand dunes, which provision had been shown by experience in other States to be something about which we should be cautious. Can the Premier say whether he has considered that report and whether he still agrees that the terms of this lease are satisfactory?

The Hon. R. S. HALL: I will speak to the Minister of Lands about this matter to find out what his department thinks. As far as I know, however, the land is held under freehold title, which confers certain rights and puts a big value on the property if anyone wishes to acquire or control it. Although I see no reason to alter the view I have given previously, now that the honourable member has inquired further I will find out whether there is anything to add and give him a reply as soon as my colleague and I have had time to consider the matter.

HOLDEN HILL HOUSING

Mrs. BYRNE: Has the Minister of Housing a reply to my recent question about cracked houses at Holden Hill?

The Hon. G. G. PEARSON: The honourable member has asked a series of related questions on this matter and I have a reply to all those questions. In the Holden Hill area in question, the Housing Trust built a total of 154 houses and so far 73 of these have been repurchased by the trust and let on a rental basis. Since the first house was built in 1966, the trust has spent more than $14,000 on repairs to them. These repairs were mainly necessary because of the excessive soil movement, and the amounts spent on the houses varied from a few dollars in some cases to as much as $450 in others. It is true that certain work has not been completed. In most cases adjustments to doors, locks and windows, etc., are made at once, but other work such as repainting repaired walls is often deferred for a time to ascertain the success of the repairs to the wall fractures. Similarly, the complete sealing of trapdoors cut in floors to enable sub-floor inspections to be carried out at a later date would be premature.

In the specific case mentioned by the honourable member, maintenance has been carried out on 10 separate occasions between November, 1966, and October of this year, at a total cost to the trust in excess of $250. An order for further work to this house was issued to contractors following an inspection on October 23, 1969. This work has now been completed but it is still not possible to give any assurance that further trouble will not occur. I now refer to the cracked houses (privately built) in the Modbury area. In his report to me in July, 1968 (which was set out in my letter dated July 19, 1968, to the honourable member), the General Manager mentioned that, from the trust's experience, soil movement of the nature in existence at Holden Hill was not an annual or seasonal matter, but diminished with the general establishment of the area to a tolerable degree within 3 to 5 years. The trust's Soils Engineer again inspected this area on October 23, 1969. Since the houses at Holden Hill were built, further modifications of design have been made possible (for example, the elimination of solid "wet" areas around bathrooms and laundries) and it is hoped that some at least of the recurring troubles of building masonry walls on highly unstable soils will be overcome.

Mrs. BYRNE: On February 26, 1968, I received correspondence from the former Minister of Housing, part of which states:

The trust has agreed, in cases where houses in the Holden Hill area have cracked substantially due to abnormal soil movement, to make good the faults for a period of five years after the purchase by the original owner. In some instances it may be necessary to defer the repairs until such time as, in the opinion of the trust's inspector, more satisfactory results may be achieved. Alternatively, the trust is prepared either to repurchase the properties and permit the occupants to remain in occupation as tenants of the trust, or to repurchase the properties and arrange the sale of a trust property to them in another area. It will be appreciated that these alternatives apply only

where damage to the house cannot be effectively repaired.

This undertaking was further amplified in a letter to me from the Minister dated April 9, 1969, which states in part:

When the trust repurchases a house it refunds money paid on account of deposit plus money paid in instalments on account of the principal. In addition, the trust does pay value for permanent improvements but permanent improvements do not include furniture, furnishings or other items which are classified as goods and chattels.

On November 19 last year I asked the Minister whether these terms would be extended to the owners of houses in the adjoining subdivision which were also built by the Housing Trust in an area bounded by Southern Terrace, Lyons Road and Valiant Road. The Minister replied that he believed the trust's policy was a common one in respect of owners of houses. I point out to the Minister that in his reply to me today he stated that out of a total of 154 houses built in this area by the trust so far 73 have been repurchased and let on a rental basis. Some purchasers of these houses who have not approached the trust to have them repurchased are concerned because they have nothing in writing from the trust about this and they seek a further assurance that the undertaking previously given will continue. Will the Minister give an assurance that the terms previously outlined will continue to apply to people who have not yet had their houses repurchased by the trust?

The Hon. G. G. PEARSON: I do not know why the honourable member asks me this question because, obviously, the trust has pursued this policy and there is no obvious intention not to continue. If the honourable member is asking me to say that the trust will repurchase every house that is offered to it because it is cracked, or for any other reason, I cannot give such an assurance because the moment one does that one finds that that assurance, however one intended it to apply, is construed in some cases as being a very much wider undertaking than was intended. So far as I know, the trust has no intention of departing from the policy under which more than 70 houses out of 154 have been repurchased where there has been a genuine application for a house to be taken back and where there has been evidence of deterioration which justified this action. That is all I can say or am prepared to say on behalf of the trust at present. The trust has obviously demonstrated its good intentions and I know of no reason why it should alter that policy, but I cannot give the honourable member an undertaking that all houses offered back to the trust will in fact be repurchased, because there are various reasons why they are offered and various reasons why the trust may not consider their repurchase to be just and equitable. I see no reason why the trust should discontinue the policy it is currently pursuing in regard to the repurchase of houses.

Mrs. BYRNE: When I asked my question on November 11 about the number of houses repurchased by the trust, I was mainly interested in the area bordered by Southern Terrace, Lyons Road, Valiant Road and the Hope Valley reservoir, where 63 brick-veneer houses were built adjacent to the previous trust subdivision. Will the Minister obtain figures for me in relation to that subdivision?

The Hon. G. G. PEARSON: I will do that.

LOCAL GOVERNMENT ACT

Mr. RYAN: The press has reported many statements of the Minister of Local Government that he expects to receive the report of the Local Government Act Revision Committee, which was set up several years ago by the Labor Government. When replying to my last question on this matter, the Attorney-General said:

My colleague informs me that the Local Government Act Revision Committee has been functioning for about three and a half years, and the Chairman of the committee has indicated that he expects to submit the report at the end of July.

As it is now November, and close to the end of 1969, will the Attorney-General ascertain whether this report has been received by the Minister of Local Government and, if it has not, the reasons for the delay? Alternatively, if it has been received will he ascertain what the Government intends to do about implementing its contents?

The Hon. ROBIN MILLHOUSE: I will find out.

PUBLIC SERVICE RESIGNATIONS

Mr. CLARK: Has the Premier a reply to my recent question in which I sought information about resignations from the Public Service?

The Hon. R. S. HALL: The following table compares the numbers of officers resigning from the Public Service over the last three years. Over this period the size of the service has increased considerably, and to make the comparisons more meaningful the resignations are also expressed as percentages of the total of officers employed at the end of the respective years, as follows:

	1966-67			1967-68			1968-69		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Resignations	335	497	832	364	494	858	443	540	983
Number of officers employed	6,340	2,346	8,686	6,545	2,495	9,040	6,778	2,651	9,429
Resignations/ employees (percentage) . . .	5.3%	21.1%	9.6%	5.5%	19.8%	9.5%	6.5%	20.4%	10.4%

A precise analysis of why officers leave the service and their future employment is impossible, because many officers are reluctant to give this information. Available figures indicate that of officers resigning in 1968-69, 12 per cent went to the Commonwealth or other Public Services; 45 per cent went to private industry or commerce; and the intentions of 43 per cent are not known, but this number includes marriage, oversea and interstate travel, and leaving work force. During 1968-69, 134 persons joined the Public Service in promotional positions, that is, positions carrying salaries above the minimum payable for any particular occupational group. So far in 1969-70 the corresponding figure is 69.

MOUNT COMPASS SCHOOL

Mr. McANANEY: Will the Minister of Education obtain a progress report on providing an oval at the Mount Compass school, as nothing seems to have been done about this project for a year or two?

The Hon. JOYCE STEELE: I will obtain the latest report for the honourable member.

DRUG ADDICTS

The Hon. C. D. HUTCHENS: Has the Premier a reply from the Minister of Health to my question of November 11 in which I asked for a breakdown of the number of patients who have been treated as drug addicts?

The Hon. R. S. HALL: From July 1, 1968, to June 30, 1969, 184 alcohol addicts and 46 drug addicts were treated by the board. At St. Anthony's Hospital, for the period December 2, 1968, to June 30, 1969, 125 patients were treated: 61 private patients with psychiatric conditions were admitted in the period December 2, 1968, to May 31, 1969; five private patients were treated for alcohol addiction; two private patients were treated for drug addiction; 52 board patients were treated for alcohol addiction; and five board patients were treated for drug addiction. (None before June 1, 1969.)

At the clinic, for the period July 1, 1968 to June 30, 1969, 298 people were treated or counselled: 126 were treated for alcohol addiction; 39 were treated for drug addiction; and 133 families, friends or relatives of alcohol or drug addicts were counselled. Fifty-four additional people sought general information regarding alcohol and drug addiction.

GRAPES

Mr. ALLEN: Has the Minister of Lands a reply from the Minister of Agriculture to my question of November 5 about plantings of grapes in the Clare and Watervale districts?

The Hon. D. N. BROOKMAN: The Minister of Agriculture states that about 4,135 acres of grapes has been planted in the Clare and Watervale districts.

RAILWAY EMPLOYEES

Mr. JENNINGS: Apparently, earlier this year the Minister of Roads and Transport assured enginedrivers in the Railways Department that those who were suffering from a disability, particularly a heart ailment, which would necessitate their being shifted from main-line duties to lesser duties, such as shunting, would have half of the loss of wages made up, as a disability allowance. In the interim none of the employees who have entered this category has yet been receiving the disability allowance mainly, it seems, because the Railways Commissioner and the Australian Federated Union of Locomotive Enginemen agree that the Minister's ruling is ambiguous. Will the Attorney-General ask his colleague whether this matter can be cleared up? I have a couple of letters here dealing with individual cases, and I will hand them to the Minister if necessary, provided that he will, in his usual form, return them to me. I think this is purely a case where there has been a misunderstanding and nothing else.

The Hon. ROBIN MILLHOUSE: I will refer this matter to the Minister of Roads and Transport.

FREIGHT RATES

Mr. CASEY: It recently came to my notice that farmers in the Upper-North of the State would be inconvenienced soon regarding the payment of freight rates. Goods trains will soon be running on the newly-completed

standard gauge line from Broken Hill to Port Pirie, and this will affect the cartage of wheat on the narrow gauge lines from Peterborough to Quorn and from Gladstone to Wilmington. Will the Minister of Lands ask the Minister of Agriculture to find out from the Wheat Board exactly what charges will be made for the transfer of wheat at both Peterborough and Gladstone and how much of this charge will be borne by the wheatgrowers?

The Hon. D. N. BROOKMAN: Yes.

DIRTY WATER

Mr. HUDSON: Members will be aware of the problem of dirty water that has existed in Adelaide for many years. In the day of the automatic washing machine, this causes a considerable nuisance to the housewife who, without warning, occasionally finds that a whole clothes wash is ruined or at least damaged in some way as a result of dirty water coming through the pipes. The Minister of Lands, representing the Minister of Works, may know that the Director and Engineer-in-Chief (Mr. Beaney), who gave a recent address to the Hydrological Society of South Australia on the surface water resources of South Australia, when dealing with pollution, said:

I always feel that there are disadvantages in having to join the band waggon, but the fact is that we have too long lamented the periodic "dirty water" situation in metropolitan and other supplies, and failed to initiate the remedial action. It must be appreciated that treatment of discoloured turbid water is not the full solution, although likely to be necessary. The basic problem is deeper and positive catchment control will be necessary even to obtain waters capable of treatment.

My question relates to the end product that the housewife sees. Can the Minister say what would be the cost of various alternative methods aimed at improving the quality of Adelaide's water supply? Also, can he say how long it would take to implement these various methods and whether any specific method that was not excessively costly could be taken on its own and result in a significant improvement in the quality of the water, at least as it appears to the housewife?

The Hon. D. N. BROOKMAN: I will get a considered reply as soon as possible.

MOUNT GAMBIER HOSPITAL

Mr. BURDON: On July 23, following many questions I had asked previously about the Mount Gambier Hospital, the Premier said:

Provision is to be sought in the Loan Estimates for 1969-70 for funds to enable geriatric accommodation to be prepared at the Mount Gambier Hospital. The proposal involves alterations to the fourth floor of the main hospital block to accommodate medical cases, thus freeing further beds on the first floor for elderly patients requiring more prolonged medical and nursing care.

I notice in the current Loan Estimates that $40,000 has been allocated for additions to the hospital. As I assume that this sum is for the work in question to be carried out, will the Premier ask the Chief Secretary what work has been done and when it is expected to be completed?

The Hon. R. S. HALL: I will get a progress report.

PENSIONERS' SPECTACLES

Mr. McKEE: Earlier this month, the Premier told me that the Minister of Health had written, I think on about October 14, to the Commonwealth Minister for Health about supplying spectacles to pensioners in country areas. Has the Premier yet received a report on this matter, or does he know whether the Minister of Health has yet received a reply from the Commonwealth Minister?

The Hon. R. S. HALL: I have received no information.

FISHING VESSEL SURVEY

Mr. CORCORAN: Has the Treasurer, representing the Minister of Marine, a reply to my recent question about applications for the survey of fishing vessels?

The Hon. G. G. PEARSON: Every known licensed fisherman with a vessel less than 25ft. in length was sent an application for survey form through the post within the last eight weeks. Supplies of forms were also sent to all harbourmasters. One or two harbourmasters ran out of forms recently, but their stocks were replenished on demand. Fishermen living in remote places, where there is no local harbourmaster, whose addresses are unknown to the Marine and Harbors Department, can get forms by applying by post direct to the department at 211 Victoria Square.

RIVER FLOWS

Mr. McANANEY: Will the Minister of Lands, representing the Minister of Works, obtain for me details since July 1 of the flows in the Murray River at Albury and at the junctions of the three major rivers, other than the Darling, with the Murray River?

The Hon. D. N. BROOKMAN: I will get what information I can in that respect.

POLICE STATIONS

The Hon. C. D. HUTCHENS: Has the Premier, representing the Chief Secretary, a reply to my question of November 6 about one-man police stations and the difficulty people sometimes encounter where they call at times when the officer-in-charge is out?

The Hon. R. S. HALL: The signs on display at all police stations show the telephone number of an adjoining station to be contacted in the event of an emergency, as well as the estimated time of the absent member's return. It is common practice at one-man stations for a local person to leave his licence under the door or in the letter box. I am unaware of any case where a person has been prosecuted for failing to produce his driver's licence within the prescribed time in circumstances such as those referred to by the honourable member.

TEACHERS' SALARIES

Mr. HUDSON: I understand that in July, 1968, during the hearing of a claim before the Teachers Salaries Board, the Government advocate (Mr. Shillabeer) stated that the Minister of Education intended to review the classification of the headmasters and principals of technical colleges and adult education centres with a view to bringing them into line with similar positions in other divisions of the Education Department and that it was expected that a reclassification of Technical Division schools, colleges and centres would take place as from January 1, 1969. While some discussions have taken place on the matter, I believe that no decision has yet been announced by the Minister. Primary and secondary schools have had at least two reclassifications during the last 10 years, whereas those in the Technical Division have had none. The senior officers of technical colleges and adult education centres have lost ground relative to their colleagues in other divisions. In many cases, the class I trade schools, technical schools and adult education centres have more than three times the enrolments and attendances needed to achieve class I status under existing regulations. Can the Minister of Education say when it is intended to implement a revised scheme for classifying schools within the Division of Technical Education in the Education Department?

The Hon. JOYCE STEELE: These matters are currently being discussed by the Director-General with members of the Institute of Teachers, and it is hoped that a satisfactory conclusion will soon be reached.

FERRY SERVICE

Mr. McANANEY: Many years ago there was a ferry service between Clayton and Hindmarsh Island but now, as a result of the heavy traffic that uses the Goolwa to Hindmarsh Island ferry, long delays are sometimes necessary. As it has been suggested that if this discontinued ferry service were to be reinstated it would provide a scenic route so that people using it could observe the bird life and the beauties of the Murray River, will the Attorney-General, representing the Minister of Roads and Transport, obtain a report on the possibility of having this service reinstated?

The Hon. ROBIN MILLHOUSE: Yes.

SMALL BOATS

The Hon. R. R. LOVEDAY: The Minister of Lands, representing the Minister of Works, will be aware that the new Marine Act embodies a number of regulations concerning small boats. The Northern Spencer Gulf Professional Fishermen's Association is especially concerned about the one regulation regarding dinghies, which provides:

Inboard type petrol engines are not to be installed in any fishing vessel.

Apparently, members of the association use net dinghies in shallow water. Can the Minister say whether the association has made any direct representations to him on this matter and, if it has not, whether he would meet association representatives to discuss this matter?

The Hon. D. N. BROOKMAN: My colleague the Treasurer represents the Minister of Marine and, as I did not hear the whole question, I will not answer it but refer it to him for a reply.

KONGORONG EFFLUENT

Mr. CORCORAN: Recently, when I inspected the cheese factory at Kongorong, I was told that the management was concerned about the disposal of effluent from the process work of the factory. Evidently the board of management of the factory spent a considerable sum in sinking a bore to 470ft. as a means of solving this problem, because there is no deep drainage and the management had to drain the effluent on to some other property. The board was looking for the best means of disposal of the effluent and I think (if my memory serves me correctly) that it was advised by officers of the Mines Department to sink this bore. Having done this, however, it has now been told that it cannot use this bore as a

means of disposal of this effluent and consequently the effluent is being discharged on areas surrounding the factory where it gives off a highly pungent smell and is a breeding ground for insects during the summer. Will the Premier ask the Minister of Mines why the Mines Department told the company that it could not use the bore for the purpose for which it was designed?

The Hon. R. S. HALL: I will take the matter up with my colleague.

DENTAL HOSPITAL

Mr. BROOMHILL: In recent months I have asked questions about the waiting period that unfortunately exists for people who require treatment, the fitting of dentures in particular, at the Dental Hospital. I have asked questions about the dental section in relation to children with crooked teeth and the orthodontic work that is sometimes badly required by children whose parents cannot afford to pay for expensive treatment. The Premier has said in reply to both these questions that there is a shortage of staff, such as dental mechanics, and the Government has been seeking the services of an orthodontist to treat the children. Will the Premier ask the Minister of Health whether any improvement has taken place in relation to the employment of people in this field?

The Hon. R. S. HALL: I will refer the question to my colleague.

TEACHING AIDS

The Hon. R. R. LOVEDAY: The Minister of Education will be well aware of the many teaching aids that are used in our schools, and especially, with the introduction of new mathematics, the many maths aids that have to be procured. It is evident from my experience of these maths aids that their supply has become a lucrative business for the firms supplying them. Can the Minister say whether any consideration has been given to producing these maths aids, possibly through a Government department, which could easily handle this production, or by some other means that would ensure that the schools could obtain them much more cheaply? I am sure this would be a great advantage to education.

The Hon. JOYCE STEELE: As this probably happened while the honourable member was overseas, I do not know whether he knows that the Government, as a matter of policy, now provides maths aids in schools; they are not provided under subsidy as applied before the last Budget was introduced. As this matter comes under the administration of the department, I will need to call for a report to see in just what way these aids are procured for the department and what firms supply them, and I will do this.

HILLS SUBDIVISION

The Hon. D. A. DUNSTAN: Has the Attorney-General a reply to my question about hills resubdivision?

The Hon. ROBIN MILLHOUSE: The Leader of the Opposition asked this question yesterday and, because of its importance, I made every effort to get a reply for him by today.

Mr. Lawn: If you don't think it's important you don't get a reply.

The SPEAKER: Order! Only one question at a time is allowed. The member for Adelaide is out of order..

The Hon. ROBIN MILLHOUSE: If I can possibly avoid it, I never make members wait.

The SPEAKER: Order! The honourable Minister cannot answer that question.

The Hon. ROBIN MILLHOUSE: I have discussed this matter with the Minister of Local Government, who states:

First, it should be made clear that a plan of resubdivision is distinguished from a plan of subdivision in the Planning and Development Act only to avoid imposing unnecessary costs on an owner desiring to create only a few allotments with no new roads, and where there is no need for extensive contour and boundary surveys to be carried out. Secondly, the letter referred to by the Leader states in relation to rural areas that the 1962 Metropolitan Development Plan refers only to control of subdivision. In fact, the report of the plan (page 289) states that, in a rural zone, "The minimum area of allotment proposed is 10 acres with the Town Planner (now the Director of Planning) and the local council having a discretionary power to permit allotments of lesser area in plans of resubdivision. The lesser area should be related to the suitability of the land for intensive rural use or, in certain circumstances, the size necessary for a detached dwelling house." Surely, in this age of changing and more intense methods of primary production few would dispute the need for flexibility in allotment size. It is reasonable also to permit a rural worker to have a separate title for his individual home site.

Thirdly, a council is a body exercising control over subdivisions and resubdivisions in its own right. There is no question of "connivance" with the State Planning Authority, whose duty in the rural zone of the Metropolitan Development Plan extends only to reporting to the Director of Planning whether a plan of subdivision conforms to the purposes, aims and objectives of the plan. In fact, the proposed plan of resubdivisioin referred to in

the letter was refused by the Stirling council because of drainage difficulties. Lastly, there has been no 10-acre minimum allotment size defined in zoning regulations in the Stirling council area, as implicit in the letter. In fact, at this stage no planning regulations are operative in the council area or have been sought. There is certainly no deliberate loophole in the legislation, nor are the responsible bodies making a mockery of controlling development. The letter appears to be an emotional outburst using ill-informed, unhelpful and unfortunate terminology.

GRANGE ROAD

The Hon. C. D. HUTCHENS: For some time the Engineering and Water Supply Department has been engaged in laying a trunk sewer main mostly through Rosetta Street, West Croydon, and later through Allenby Gardens into the lane between Coombe Road and Frederick Street; now work is being carried out in some of the side streets. The department has conducted its activities most satisfactorily. I notice that the workmen are now marking out along Grange Road, preparing to dig trenches and, undoubtedly, to lay mains. As this is a busy road that is greatly congested at certain times of the day, will the Minister of Lands, representing the Minister of Works, ascertain what work will be done on this road and how long it is expected to take?

The Hon. D. N. BROOKMAN: I am sure that the pat on the back by the honourable member will be appreciated by the departmental work gangs, who will probably have their morale lifted, as they are often criticized. I will obtain a reply for the honourable member.

WHEAT QUOTAS

Mr. HUDSON: On November 11, when I asked the Premier whether or not he could say how much wheat had been reserved by the advisory committee as a contingency reserve to enable adjustments to be made to the basic quotas allotted by the committee to wheat-growers throughout the State, he said that he would bring down information in reply. Has he obtained this information?

The Hon. R. S. HALL: I do not think the honourable member fully quoted my reply. In any case, as I do not have the information to which he refers, I will find out where the matter stands.

STAFF HOLIDAY

The Hon. D. A. DUNSTAN: January 2, 1970, will fall on a Friday and immediately before that date the staff of Parliament House will be on leave. Knowing human nature, and without any suggestion of criticism of any member of the staff, I think a return from leave on a Friday in these circumstances is not likely to produce an enormous amount of work, and it does not seem that members would require much work to be done on that day. In the circumstances, Mr. Speaker, will you consider adding Friday, January 2, 1970, to the days of leave of members of the Parliament House staff?

The SPEAKER: This position occurs every seven years, and I have noted that January 2 falls on a Friday next year. As the question concerns the staff of both Houses of Parliament, I will confer with the President of the Legislative Council to see whether a uniform period can be allowed for all staff. I will not be present then, as I hope to be overseas.

Mr. Lawn: Are you likely to stay there?

The SPEAKER: If the honourable member accompanies me.

REZONING

The Hon. C. D. HUTCHENS: I understand that several councils affected by the Metropolitan Adelaide Transportation Study plan have been asked to consider the rezoning of their areas so that persons may know where they can establish industries. Will the Attorney-General ask the Minister of Local Government how many councils have taken steps to prepare, as requested, regulations for submission to the Subordinate Legislation Committee?

The Hon. ROBIN MILLHOUSE: I will try to get the information.

UNLEY DRAINAGE

Mr. LANGLEY: Recently I was told, in reply to a question, that in the next three years the remainder of Greenhill Road would be put in similar condition to that of the section from Fullarton Road to Glen Osmond Road. That work is proceeding and constituents living along the North Unley creek are concerned about whether adequate drainage work will be carried out while the roadwork is in progress. Several large drain pipes have been placed along the roadway, and severe flooding of the whole Unley and Wayville section of the creek would occur if the roadwork proceeded without provision being made for adequate drainage from the Unley drain. As the Government subsidizes the Unley council for drainage work on a $1 for $1 basis, will the Attorney-General ask the Minister of Roads and Transport whether agreement has been reached with

the Unley council to carry out reconstruction work on the North Unley creek in conjunction with the roadwork?

The Hon. ROBIN MILLHOUSE: Yes.

CHOWILLA DAM

Mr. HUDSON: Last Sunday week viewers of channel 7 and channel 9 television stations were entertained for varying periods by programmes about your life and character, Mr. Speaker.

Mr. Ryan: You wouldn't say that was entertainment.

Mr. HUDSON: Whatever else it was, it was entertainment. Even the member for Port Adelaide may be entertained by a horror film. During the programme that I saw, which was *The Casting Vote* on channel 7, you, Mr. Speaker, suggested that, as a result of the vote of the House regarding the Chowilla and Dartmouth dams, the Premier should immediately tell the Commonwealth Government and the Premiers of Victoria and New South Wales of his difficulties in this matter and, therefore, of the importance of reopening negotiations. As I have no doubt that the Premier, being interested in securing for this State the best that can be secured, has already reopened negotiations with the Commonwealth Government and with the Premiers of the other States on water supplies for South Australia, will he say whether he has adopted the suggestion you made in that programme and what are the results of any action he has taken?

The Hon. R. S. HALL: Although the question is so timely that I am sure that those listening to the reply will think that the honourable member and I have concocted it, I assure the House that the member for Glenelg has not given me any warning that he would ask the question. At luncheon yesterday, when I was able to speak to the Prime Minister and the Premiers of New South Wales and Victoria at the one time, I brought to their notice the situation regarding the Dartmouth dam construction. I told them that the vote in the House, which was an attempt to tie a future vote of the House, made not the slightest difference to the determination of the South Australian Government to achieve construction of the Dartmouth dam, that the position remained exactly as it had been, and that we looked forward to the completion of the agreement between the States and the Commonwealth, which I intended to sign as soon as it was completed. I also said that at a suitable date the South Australian Government would present the necessary legislation to this House to achieve construction of the Dartmouth dam. I spoke further to the Premiers of New South Wales and Victoria and to the Prime Minister, and the general consensus of opinion was that it would be absurd to think that a small political party such as the Australian Labor Party in this State—

Members interjecting:

The SPEAKER: Order!

The Hon. R. S. HALL: I am sorry that members opposite have taken umbrage at that remark. I will rephrase it to maintain the dignity of my Parliamentary colleagues opposite and say that it would be absurd if a small body of Parliamentarians—

Members interjecting:

The Hon. R. S. HALL: —or your vote, Mr. Speaker, as the vote of one individual, could prevent the construction of this dam.

Mr. HUDSON: Mr. Speaker, is this statement casting a reflection on a vote of this House?

The SPEAKER: Order! Is the member for Glenelg raising a point of order?

Mr. HUDSON: Yes.

The SPEAKER: What is the point of order?

Mr. HUDSON: The point of order is that the Premier's remarks are casting a reflection on a vote of this House and that for any member to do that is out of order.

Mr. Clark: He's been doing this publicly.

The SPEAKER: Order! No member is entitled to reflect on a vote of the House, so the part of the Premier's reply that reflects on a vote of a majority of members of this House is out of order.

The Hon. R. S. HALL: Let me rephrase my statement and say that it would be unthinkable that a small group of people could prevent the construction of such a facility, which is desired by the Governments of the Commonwealth and three States. All the other parties to the agreement contended that the main advantages of this dam would accrue to South Australia. They repeated their general opinion that it would be unthinkable that this State should commit suicide in relation to its future by denying to its citizens the advantages that Dartmouth would give.

Mr. LAWN: The Premier referred to the vote in this House and used the words "a small number of people". As the number of members who supported his proposal for the Metropolitan Adelaide Transportation Study plan was 19, the same as the number on the Chowilla vote, does the Premier not consider that his remark about "a small number of people"

applies equally to his proposal regarding the M.A.T.S. plan?

The Hon. R. S. HALL: Not in the same context, because I referred to the fact that the construction of the Dartmouth dam was supported by four Governments.

Mr. Clark: What has that to do with the vote taken here?

The Hon. R. S. HALL: I am trying to reply to the question. The M.A.T.S. plan does not have the same impact on the other States. Indeed, it is of little importance to the Governments of New South Wales, Victoria, and the Commonwealth, except in relation to the total roads grant and the money used to implement it. It has no physical relationship to the existence of those people or the Governments, whereas the Dartmouth scheme has a real relationship to the future of New South Wales, Victoria and South Australia. That is how I applied my remark. In relation to the total number of people involved, it was not thought tenable that a relatively small group could prevent the construction of such a large facility, and that is the context in which I made the remark. I think that explanation is a reply to this question.

ST. AGNES WATER SUPPLY

Mrs. BYRNE: At St. Agnes, alongside Whiting Road, subdividing is taking place and houses are being built that require water supplies. It has been pointed out to me that the water pressure in this area is poor, and it has been suggested that this is caused by the age of the trunk main, which should be replaced. Will the Minister of Lands, representing the Minister of Works, ascertain whether this main can be replaced and, if that is not the solution to the problem, whether something cannot be done to improve the water supply in this area?

The Hon. D. N. BROOKMAN: I will examine the position and obtain a reply soon.

KINDERGARTEN SUBSIDIES

Mr. HUDSON: On November 12 the member for Unley asked the Minister of Education the following question:

Will the Minister make strong representation to the Commonwealth Government to see whether subsidies could be made available towards the building of kindergartens in newly-developed areas in a way similar to that in which they are made available in the Australian Capital Territory?

The Minister replied:

I should think that the proper way to approach this matter would be for the Kindergarten Union of South Australia Incorporated to make representations to me, requesting that this might be done. Unless this is done, representations from all over the place could be made.

Without reflecting on the Kindergarten Union, the position with respect to kindergartens in South Australia is that only a small percentage of the children of kindergarten age are covered by the appropriate kindergartens. Once again we have the Commonwealth Government adopting a double standard, namely, the standard that shall apply in the A.C.T. compared with the standard that applies in the States. Over the last 10 years the union has received regular increases in the grant made available on the Education line of the Budget for subsidizing kindergartens, but with the best will in the world it has not been able to cater for more than about 14 per cent or 15 per cent of the children of kindergarten age. As this matter affects the pre-school training of most children who attend Government schools, and as it makes the initial task of teachers in the infants schools more difficult if most children have not attended a kindergarten, will the Minister of Education reconsider the subject matter of the question of the member for Unley, and at least give serious thought to raising the whole subject of kindergarten training at the next conference of Ministers of Education in Perth next February? Will the Minister consider this as a matter of general Government policy independent of whatever approach may be made to her on the matter by the Kindergarten Union?

The Hon. JOYCE STEELE: I stand by my reply to the member for Unley, because I believe it to be the correct one. I am not sure, but I understand that no State Government has yet accepted responsibility for pre-school education. It is probable, and I think it is so, that the Commonwealth Government has, in the A.C.T., accepted responsibility for pre-school education. I still believe that the Kindergarten Union, to which we make a substantial grant, is best able to judge the assistance that is necessary if, as the honourable member says, there is need for many more kindergartens. Therefore, I stand by the reply that I gave to the member for Unley.

Mr. HUDSON: It seems to me that educationists generally have made it clear that there is a tremendous advantage, from an educational point of view, to be had by children attending pre-school centres, and that the children who have done this have a significant advantage over other children when they attend infants schools later. So that the Minister may obtain information for my benefit and for the benefit of other members,

including her own benefit, will she ask the Director-General of Education whether, in the opinion of the professional people in the Education Department, it would be a considerable benefit to the standard of education, in pre-school centres particularly, if all children in South Australia were to have the benefits of pre-school education?

The Hon. JOYCE STEELE: I still believe that the Kindergarten Union is the best authority to judge this matter. I point out to the honourable member that the union, as well as about 135 other organizations, has made a submission to the Karmel Committee of Inquiry on Education. As the honourable member knows, this survey covers the areas of education from pre-schooling to tertiary education. I repeat that I believe that what I have suggested is the best course to take, because the Kindergarten Union is the authority that has the necessary knowledge at its fingertips, and particularly because the Education Department has never entered the field of pre-school education. It is quite true—

At 4 o'clock the bells having been rung:

The SPEAKER: Call on the business of the day.

ELECTORAL ACT AMENDMENT BILL

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of recommendations of the conference.

(Continued from November 18. Page 3078.)

The Hon. ROBIN MILLHOUSE (Attorney-General): I move:

That the recommendations of the conference be agreed to.

I think I can move this briefly because the matter has already had considerable publicity in this morning's paper and because members are familiar with what happened at the conference last evening. Three matters were in dispute between the two Chambers. The first concerned the authentication of an application for a postal vote and the postal vote certificate. As the Bill left this Chamber it provided that another person could authenticate the application of an illiterate applicant.

The second matter concerned the age of the witness to a postal vote. As the Bill left this Chamber it provided that any person apparently over 18 years of age could witness a postal vote. The third and most important point concerned the return of postal votes. As the Bill left this Chamber it provided that postal votes had to be in the hands of the returning officer or an electoral officer by the time of the close of poll. This was provided deliberately. To give certainty in the administration of the system we wanted to remove the area of uncertainty and doubt which had always existed in the past and which was last made so obvious in last year's Millicent poll that resulted in the sitting of the Court of Disputed Returns.

Regarding the first of these matters, the other place amended the provision to provide that authentication could be made not only in the case of illiteracy but also in the case of any physical incapacity. At the conference the other place gave way on that point and agreed to the provisions as it left this Chamber. Regarding the second matter (namely, the witnessing of a vote), we came to a compromise that now provides that any elector of the Commonwealth or person over 21 years of age, or apparently over that age, may authenticate a vote, and on this matter we substantially gave way to the other place. It is not a matter of great importance. We provided that an elector of the Commonwealth could do it because, as all members know, some electors of the Commonwealth (notably those on active service in the armed services) may be under 21 years of age, and we did not want to cut them out as they would have been cut out under the proposal of the other place.

Mr. Lawn: All Commonwealth electors are not State electors. Any person can decline to have his name on the State roll.

The Hon. ROBIN MILLHOUSE: That is so. So, to that extent, a Commonwealth elector in South Australia is in a wider category than is a State elector because people may be removed from the State roll whereas they cannot be removed from the Commonwealth roll. We also added the provision for a person over 21 years of age to cope with the witnessing of a vote outside Australia in places where Commonwealth electors are difficult, if not impossible, to find. The main purport of the amendment originally was to widen the categories of person who might properly witness postal votes, and we think that the compromise preserves that aim, even though it does not go quite as far as we wanted it to go. Those are the two relatively small matters.

Regarding the subject of postal votes, which I think the managers of this place regarded as

crucial (and I am sure that we were interpreting the feeling of this Chamber), we reached a compromise which I can, with confidence, recommend to the House. Our proposals remain as they were, the variation being that a postal vote that comes into the hands of a returning officer after the close of poll must be taken into account in the scrutiny if it has been franked by the post office no later than election day. This means that there is some extrinsic evidence of posting, apart from the word of the elector or some other person. There is the independent evidence given by the postmark, and that is the matter to which the returning officer will have to address himself, and to nothing else.

Mr. Lawn: Is any time after 8 p.m. acceptable?

The Hon. ROBIN MILLHOUSE: Up to seven days after the close of the poll.

Mr. Lawn: I mean the franking?

The Hon. ROBIN MILLHOUSE: There is a theoretical possibility (but we know that it is no more than a theoretical possibility because the post office does not frank late at night) that the franking could take place after the close of poll, between 8 p.m. and midnight; but this is not a practical matter. We believe that the post office franks only on a Saturday morning, so the vote must have been out of the hands of the elector before the close of the poll. It preserves the great principle that we had in our minds of certainty, although it allows an elector who posts his vote before the close of the poll, perhaps on the Thursday, Friday, or Saturday, and who expects the vote to reach the returning officer before the close of the poll, whereas for some reason concerning the postal service it does not, to have such a vote counted.

Mr. Corcoran: What if the franking is not clear?

The Hon. ROBIN MILLHOUSE: That will be a matter to be decided by the returning officer. Obviously, if he receives it on the Saturday it must be all right; it must have been franked before that day. He may, however, receive it on the following Wednesday. There will be some cases of that, and he will have to decide. To that extent, there could, theoretically, be a very small area of doubt, but it is so small an area of doubt that the vote must come in as late as that and that there must be a smudged postmark that cannot be read that we considered it a justifiable concession to make. That, therefore, is the compromise, and I think that on the whole it is a satisfactory compromise: it retains the principles of the Bill as we wanted them to be but it makes some concession to the point of view of another place. I thank my colleagues, the Leader of the Opposition and the members for Glenelg, Stirling and Murray, who were the other managers, for the support they gave me at the conference, and I hope that members will endorse our actions.

Motion carried.

EARLY CLOSING ACT AMENDMENT BILL

The Hon. ROBIN MILLHOUSE (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Early Closing Act, 1926-1960. Read a first time.

The Hon. ROBIN MILLHOUSE: I move:

That this Bill be now read a second time.

Early this year the Minister of Labour and Industry invited all organizations of shopkeepers and trade unions concerned with the retail trade to indicate any changes which they considered should be made in shop trading hours in the State. At the same time the Minister invited members of the public also to express to him their views on this matter.

Consideration has been given to all the views expressed as well as to the report of a committee which was appointed in 1965 by the Government of the time to inquire into and report on the desirability of relaxing some of the restrictions in the present laws on shop trading hours in South Australia. The various submissions made to the Minister clearly indicate that some relaxation in the present restrictions are favoured by both shopkeepers and members of the public: there were, however, wide differences expressed as to the extent to which this relaxation should take place.

The Early Closing Act applies only in shopping districts which are areas of the State in which the majority of House of Assembly electors have successfully petitioned for the restricted shopping hours to apply. There is also provision in the Act for electors to petition for the abolition of a shopping district. Various organizations have submitted to the Government that the present system of petitioning is not the best one to use in order to ascertain the views of the public as to whether restricted trading hours should or should not apply to shops in their district. The formulation of a better system has proved to be a rather difficult matter, but consideration is still being given to evolving a more acceptable and simpler method. There are also certain

other sections in the Act which are considered to be redundant, while others need amending.

Unfortunately the time available to the Government in the present session does not permit a comprehensive Bill to amend this Act to be introduced. However, in order to give some immediate alleviation to the obvious frustrations caused to the public by the present restrictions on the types of goods which may be bought or sold after normal trading hours, particularly items of food, this Bill has been introduced to permit the public to purchase a much wider range of exempted goods at all times. The range of what is known as "exempted goods", which may be legally sold in other States of Australia outside normal trading hours, is much wider than in South Australia. It appears anomalous that under the present licensing laws the public may purchase liquor at night but cannot buy a wide range of foodstuffs. Similarly it appears that there should be no restriction on the times at which souvenirs, paintings, articles normally stocked by newsagents and some other classes of goods should be sold.

The goods now exempted from the Act which are listed in the Second Schedule are basically those which were exempted when the Act was passed in 1926, although a few additions have been made since then, especially in 1960. The list of exempted shops has not been substantially altered since 1926. The Bill provides for the repeal of both the Second and Third Schedules and the substitution of a new Second Schedule listing the exempted goods which the Government considers the public should be able to purchase at all times, with a revised Third Schedule of exempted shops. The Act provides that goods listed in the Second Schedule may be sold after the compulsory closing times set out in section 35 of the Act from a shop of a class listed in the Third Schedule. It will be seen that the main classes of goods set out in the new Second Schedule are those sold in chemists, delicatessens, florists, fruit and vegetable shops, and newsagents and tobacconists shops, while drawings, etchings, paintings and other works of art as well as souvenirs have also been included. The only new classes of exempted shop are art shops and aquarium shops; in other cases the name of the type of shop has been brought up to date, for example, delicatessen is used instead of a cooked meat shop. By the widening of the range of exempted goods in this way, the public will have the opportunity of being able to purchase a much wider range of goods from shops which are not required to observe the normal trading hours, while at the same time no additional shops will have to open at holidays or weekends so that no employees will be affected by longer hours.

The Government is proceeding with the review of the remainder of the Early Closing Act but feels that it is important that the provisions contained in this Bill should be implemented without waiting until it is possible to introduce amendments to all parts of the Act. The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 amends section 5 of the principal Act. The amendment makes it clear that the Act does not prevent the sale of liquor from licensed premises at times when it may lawfully be supplied under the Licensing Act. Clause 3 repeals the Second and Third Schedules and re-enacts these schedules to contain the new categories of exempted goods and exempted shops.

Mr. CORCORAN secured the adjournment of the debate.

SUPERANNUATION BILL

The Hon. G. G. PEARSON (Treasurer) obtained leave and introduced a Bill for an Act to consolidate and amend the law relating to superannuation benefits for certain persons employed by the Government of South Australia; to make provisions for the families of such persons; to continue a system of voluntary saving; and for purposes consequent thereon or incidental thereto. Read a first time.

The Hon. G. G. PEARSON: I move:

That this Bill be now read a second time.

Basically this measure is in the nature of a consolidating Bill. The original Superannuation Act has, since its enactment in 1926, been amended some 19 times and, as a result, it has become a somewhat complex measure and difficult to follow. Accordingly it appeared to the Government that a consolidation was indicated. In addition, certain significant changes have been made to the superannuation scheme that may be summarized as follows:

(*a*) Previously entitlement to contribute for units was re-assessed each time a contributor's salary was raised and over the years this has involved the Superannuation Board and the departments in an enormous amount of clerical work. To enable this work to be done mechanically this Bill provides that the entitlement of a contributor to contribute for units will

be re-assessed annually on his "entitlement day". Contributors have been divided into two groups depending on which half of the year their birthday falls, and an entitlement day for each group has been fixed at October 31 for those whose birthday falls in the first half of the year, and April 30 for those whose birthday falls in the second half of the year. The adoption of this system will result in a considerable saving in administration costs.

(*b*) The maximum pension that can be contributed for has been raised from about 50 per cent of salary to about 60 per cent of salary to accord with scales of pension by way of superannuation generally applicable elsewhere in similar circumstances.

(*c*) The provision that a contributor could not receive an invalidity pension in respect of invalidity occurring during his first three years of contributions has been removed and invalidity cover now commences immediately.

(*d*) Pensions in respect of orphan children have been increased to $12 a fortnight and this increase has been applied to orphan children receiving pension at the commencement of this Act.

(*e*) A new class of pensioner children has been created, that is, of a student child, being a child up to 20 years of age in full-time attendance at an educational institution approved by the board. Previously pensions paid in respect of children ceased on the child's attaining the age of 16 years.

In addition, other changes of somewhat less significance have been made on the recommendation of the board in the light of its experience with the scheme. In some detail the Bill is as follows: Clauses 1, 2 and 3 are formal. Clause 4 sets out the definitions used in the Act which generally follow the corresponding provision of the repealed Act. Clause 5 repeals the Acts referred to in the First Schedule and makes appropriate transitional provisions.

Clause 6 re-enacts a corresponding provision of the repealed Act dealing with entry into the fund of certain employees of public authorities. Clauses 7 to 24 substantially re-enact the corresponding provisions of the repealed Act. Clause 25 provides for existing contributors to continue to contribute to the fund at the rates they were contributing to the fund before the commencement of this Act, and also repeats a provision of the repealed Act requiring full payment for units for which contributions are commenced within 12 months of retirement. Clause 26 is a new provision that is generally self-explanatory and, in effect, prevents an employee from receiving benefits from more than one superannuation scheme that the Government is obliged to support.

Clause 27 sets out the rights of an employee to contribute to the fund. Clause 28 sets out the scale of units appropriate to the salary of an employee. Subclause (2) provides for a general election by an employee and subclause (4) continues in force general elections current under the repealed Act on the commencement of this Act. Clause 29 gives superannuation cover to a contributor to the extent of his increased entitlement by virtue of this Act between the commencement of this Act and his first entitlement day, provided that the contributor has elected to contribute for the additional units that he is entitled to on that entitlement day. Clause 30 provides for payments for units to be commenced on the payment day next following an entitlement day and also gives cover to the extent of those units between the entitlement day and the day on which payments are actually commenced.

Clause 31 is similar in effect to clause 29 but covers the period between one entitlement day and the next entitlement day and has the effect of ensuring that a contributor who has elected to take all his units does not lose the benefit of a salary increase during that period, and clause 32 makes a similar provision for new entrants. Clause 33 provides that all increases in entitlement during the year immediately preceding retirement must be paid up fully before they can be reflected as additional pension. Clause 34 sets a minimum contribution for 10 units. Clause 35 permits contributors who have not made a general election pursuant to clause 28 (2) to make an election after each entitlement day. Clause 36 provides that where an election is not made the contributor will be deemed to have elected not to contribute for the units in respect of which he had the right to elect. Appropriate provision is made to cover elections not made through inadvertance.

Clause 37 sets out the conditions under which a contributor may be entitled to contribute for "neglected units", that is, units which were not taken up when they should have been. Clause 38 provides for variation of contributions on reduction of salary.

Clause 39 covers contributions while a contributor is temporarily transferred, and clause 40 covers contributions by persons absent on military service. Clause 41 permits the surrender of units in excess of 10 units in cases of hardship. Clause 42 permits a female contributor to surrender all her units upon marriage. Clauses 43 and 44 provide for the table of contributions.

Clauses 45 to 50 provide for reserve units of pension and substantially follow the corresponding provisions of the repealed Act, except that a reserve unit of pension cannot now be surrendered until it has been contributed for five years, and that where an election is made to convert reserve units to active units any interest attributable to those reserve units remains in the fund. The board feels that this procedure is justified, follows practices in other States, and also avoids considerable accounting and administrative difficulties. Clause 51 relates to contributions by the Government. Clause 52 provides for contributions to be paid while on leave and, at subclause (2), provides for the board to remove a contributor from the fund if the contributor has not paid contributions for six months. This will avoid a situation where the board is liable to provide cover for a contributor who has not made any payments for a considerable period but who may strictly speaking still be an employee.

Clause 53 provides for methods of payment of contributions. Clauses 54 to 86 provide for the payment of pensions and substantially follow the corresponding provisions of the repealed Act. Clause 87 deals with a problem which has given the board some concern, and that is where an invalid pensioner obtains employment outside the Government service at a rate of salary greater than three-quarters of the salary he was paid before he became a pensioner. In this case that employment will be treated as employment within the service until the pensioner ceases to be so employed or attains his age of retirement. Clause 88 provides that certain additional amounts of pension payable under the repealed Act will be regarded as pension for the purposes of this Act.

Clauses 89 to 96 continue in operation the system of voluntary savings accounts. Clauses 97 to 100 continue the system of pension supplements payable under the repealed Act. Clause 100 grants a 2 per cent supplement for pension first payable between July 1, 1966, and July 1, 1967. Clauses 101 to 103 continue in operation the retirement benefits account established under the repealed Act. Clauses 104 to 114 make a number of miscellaneous provisions including the power to make regulations which are generally self-explanatory.

The Bill appears somewhat voluminous, but this is obviously necessary because it is a consolidating Bill. As my remarks indicate, the opportunity has been taken to make many changes in the Act that benefit contributors, and also to provide that mechanical accounting can be applied to the somewhat complex matter of the administration of this fund. I thank the people responsible for the part they have played in the preparation of the Bill. I thank the Chairman of the fund board and the various representatives of the contributors for the work they have done in considering and discussing the various matters brought under review, and I thank, too, the Parliamentary Draftsman for the work he has done on the Bill. The matter has been canvassed widely amongst the interested parties and I am told that they approve of the measure, which I commend to the House.

Mr. HUDSON secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL

Second reading.

The Hon. ROBIN MILLHOUSE (Attorney-General): I move:

That this Bill be now read a second time.

It makes several significant amendments to the Motor Vehicles Act, 1959-1968. Perhaps the most important of these is the introduction of a points demerit system. The continuing road toll is a matter of serious concern to the Government and it is considered that the introduction of a points demerit scheme, which has proved effective eslewhere in reducing the incidence of road accidents, is well justified. The scheme is already in operation in several States of Australia and in each case it appears to be operating well and effectively. It is directed against those drivers who are temperamentally unsuited to be on the roads and those who are incompetent to control a motor vehicle. Persons who fall into these categories habitually commit driving offences and the scheme operates both as a deterrent to them and as a protection to the public.

The Bill makes provision for the exemption of certain farm implements from the requirement of registration. Motor vehicles used for the purpose of civil defence, the eradication of weeds under the Weeds Act, and any motor

vehicle used solely for the purposes of the Lyrup Village Association, are exempted from registration fees. Invalid pensioners who are unable to use public tranport are entitled, under the provisions of the Bill, to reduced registration and licence fees. In addition, the Bill makes many miscellaneous amendments to the principal Act which I shall explain in the course of dealing specifically with each provision. The provisions of the Bill are as follows.

Clause 1 is formal. Clause 2 amends the provision in the principal Act dealing with the formal arrangement of the Act. Clause 3 amends section 12 of the principal Act. This section exempts from registration certain farm implements. The amendment adds to the categories of exempted implements bulk grain field bins and bale and grain elevators. Clause 4 makes a drafting amendment to the principal Act. Clause 5 empowers the Registrar to amend or vary the registration number allotted to a vehicle. This has been found to be a desirable power which does not, however, exist under the Act at the moment. The Registrar is empowered to refuse registration to a vehicle whose design or construction did not, at the time of its construction, comply with statutory requirements. Clause 6 repeals section 25 of the principal Act. This section is now redundant.

Clause 7 amends section 26 of the principal Act by re-enacting subsection (2). Doubt exists about whether this provision was ever effectively brought into operation, and the re-enactment is accompanied by a new subsection (3), which provides that the amendment shall be deemed to have come into operation at the commencement of the Motor Vehicles Act Amendment Act, 1961. Clause 8 amends section 27 of the principal Act. This section deals with the calculation of the horse-power of vehicles. The section only provides for piston engines at the moment and it is now necessary to make provision for the new Wankel engine and also the possibility of gas turbine engines. A new subsection is, therefore, inserted to provide that the horsepower of a motor vehicle propelled by an internal combustion engine, other than a piston engine, shall be determined by the Registrar in such manner as he deems just and appropriate.

Clause 9 amends section 31 of the principal Act. This section exempts certain motor vehicles from registration fees. New provisions are inserted by virtue of which any motor vehicle used for the purpose of civil defence, any motor vehicle used solely or mainly in connection with the eradication and control of dangerous and noxious weeds under the Weeds Act, and any motor vehicle owned by, and used for the purpose of, the Lyrup Village Association, are exempted from registration fees. Clause 10 makes a drafting amendment to section 38 of the principal Act. The amendment brings the form of this section into conformity with that of new section 38a.

Clause 11 enacts new section 38a of the principal Act. This new section provides for a reduced registration fee where the applicant for registration is a pensioner and unable to use public transport. Clause 12 amends section 48 of the principal Act. This amendment should be read in conjunction with the amendment to section 24 which provides that the Registrar may amend or vary a registration number. The amendment to section 48 enables the Registrar to issue an amended registration label and to require the person to whom the new label is issued to destroy any previous label issued to him. Clause 13 amends section 61 of the principal Act, which deals with hire-purchase transactions. Normally where such transactions are involved, the vehicle is registered in the name of the person who hires and eventually purchases the motor vehicle. Thus, section 61 provided that when title was eventually transferred to the hirer the passing of title would not constitute a transfer within the meaning of the Act, but occasionally a motor vehicle subject to a hire-purchase transaction is registered in the name of the owner. Section 61 is, therefore, amended to provide that in this particular instance the passing of the title shall be a transfer within the meaning of the Act.

Clause 14 amends section 67 of the principal Act. This section deals with limited trader's plates. It is anomalous at the moment because, although it sets out the purpose for which the trader's plates are issued, there is no provision requiring the person to whom they are issued to use them for only those purposes. New subsection (3) and (3a) are inserted to repair that omission. Clause 15 reduces the licence fee for a pensioner who is unable to use public transport. Clause 16 provides for the fee for a duplicate licence to be prescribed rather than specified in the Act. Clause 17 repeals section 80 of the principal Act and enacts a new section 80. The effect of this amendment is to extend the provisions of the old section 80 to learner's permits and to empower the Registrar, when he is satisfied that a person is not competent to drive a motor

vehicle without danger to the public, to refuse to issue a learner's permit or licence to that person or to suspend a learner's permit or licence previously issued to that person.

Clause 18 amends section 82 by extending its provisions to cover learner's permits. This section deals with a Ministerial direction to refuse to issue or renew a licence. Clause 19 makes a drafting amendment to section 83b of the principal Act. Clause 20 re-enacts section 89 of the principal Act in an amended form. The effect of the amendment is to empower the Registrar to refuse a licence to an applicant for a licence where he has been disqualified or prohibited from driving a motor vehicle in any other State or Territory of the Commonwealth, or any country outside the Commonwealth. Clauses 21 and 22 make drafting amendments to section 91 and 92 of the principal Act. Clause 23 enacts the points demerit scheme. This is to constitute new Part IIIB of the principal Act. The scheme is comprised in new section 98b.

New subsection (1) provides that a person convicted of an offence specified in the schedule shall incur the number of demerit points prescribed by the schedule in relation to that offence. New subsection (2) provides that when the aggregate of demerit points incurred by a driver amounts to 12, the driver shall be disqualified from holding or obtaining a licence for three months. New subsection (3) provides that the scheme will not operate in respect of convictions recorded before the commencement of the amending Act. New subsection (4) provides that, in calculating the aggregate of the demerit points recorded against any person, only those points that relate to offences committed within a period of three years shall be taken into account.

New subsection (5) imposes a statutory duty upon the Registrar to warn a person against whom a certain number of demerit points have been recorded that his licence may become liable to suspension. This provision may prove impossible to comply with in some instances and consequently new subsection (6) provides that the operation of the scheme is not affected by any failure to comply with that duty. New subsection (7) provides that demerit points shall not be recorded until the right of appeal has expired or, if there is an appeal, until the determination of the appeal. New subsection (8) provides that where a single incident constitutes two or more offences, demerit points shall only be recorded in respect of the offence, or one of the offences, that attracts or attract the most demerit points.

New subsection (9) provides that a court, in determining the penalty to be imposed upon a convicted person, shall not take into account the fact that the conviction attracts demerit points. New subsection (10) provides that where the court is satisfied that an offence is trifling or other proper cause exists it may order that points be not recorded in respect of the offence. New subsection (11) provides for the suspension of the licence of a person who has attracted the required number of points. New subsection (12) provides that the points are to be extinguished upon suspension of the licence. New subsection (13) establishes a right of appeal to the Supreme Court or a magistrate in chambers against the suspension of a licence under the demerit scheme. New subsection (14) provides that the appellant and the Crown shall be entitled to be heard upon the appeal but that no order for costs is to be made against the Crown.

New subsection (15) provides that if the appellant can establish that it is not in the public interest that his licence be suspended the court or magistrate may reduce the aggregate of points by a number not exceeding one quarter of the aggregate. New subsection (16) renders the subsection inoperative until the appeal has been disposed of. New subsection (17) provides, in effect, that there can only be one successful appeal in respect of any one aggregate of points. Clauses 24 and 25 make formal amendments to the principal Act by removing obsolete references to the Treasurer and inserting references to the Minister.

Clause 26 amends section 103 of the principal Act. This section enables a police officer to require the production of evidence that a policy of insurance is in force. The section is slightly deficient in that it is sometimes necessary to require evidence that a policy was in force at the time of some accident that occurred in the past. The amendment repairs this deficiency. Clauses 27 and 28 make formal amendments to the principal Act, and clause 29 makes a drafting amendment. Clauses 30 and 31 make formal amendments to the principal Act. Clause 32 gives effect to a suggestion made by a local court judge that the notice of an accident referred to in section 124 should be admissible in proceedings between the insurer and the insured person as well as in proceedings for an offence under the Act. Clauses 33 and 34 make formal amendments to the principal Act and clause

35 makes a drafting amendment to the principal Act.

Clause 36 inserts new section 142a in the principal Act. This section is designed to reduce the time at present expended by courts in hearing complaints where the defendant has not appeared and has not returned a written plea of guilty to the charge. In these circumstances the court is at present obliged to hear evidence from the police officer who apprehended the person charged. This new section provides that where a person does not appear in obedience to a summons the court may in its discretion hear and determine the complaint in the absence of the defendant, and where it does proceed so to hear and determine the complaint, the allegations in the complaint shall be *prima facie* evidence of the matters alleged. The provision does not relate to offences punishable by imprisonment, and where the court contemplates suspending a driving licence it must notify the defendant and follow the procedures set out by section 62c of the Justices Act. Clause 37 makes a drafting amendment to section 145 of the principal Act, and clause 38 enacts the schedule of demerit points.

Mr. LAWN secured the adjournment of the debate.

LAW OF PROPERTY ACT AMENDMENT BILL (COURTS)

Adjourned debate on second reading.

(Continued from November 18. Page 3070.)

The Hon. D. A. DUNSTAN (Leader of the Opposition): This short Bill is consequential on the introduction of the intermediate courts scheme and, although I do not object to it as a consequential amendment to that scheme, I oppose the Bill because I oppose the scheme.

The House divided on the second reading:

Ayes (17)—Messrs. Allen, Arnold, Brookman, Edwards, Evans, Ferguson, Freebairn, Hall, McAnaney, Millhouse (teller), Nankivell, Pearson, Rodda, and Mrs. Steele, Messrs. Teusner, Venning, and Wardle.

Noes (16)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan (teller), Hudson, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, and Ryan.

Pairs—Ayes—Messrs. Coumbe and Giles. Noes—Messrs. Hughes and Riches.

Majority of 1 for the Ayes.

Second reading thus carried.

Bill read a third time and passed.

AGENTS BILL

Adjourned debate on second reading.

(Continued from November 18. Page 3070.)

The Hon. D. A. DUNSTAN (Leader of the Opposition): I support the second reading. The problem of controlling the activity of land agents and the sale of businesses through business agents in South Australia cannot be solved easily. During the whole period of our office, I had discussions with the Real Estate Institute but was unable to arrive at any entirely satisfactory solution. A solution that was satisfactory to one section of the people involved in sales of real estate or of businesses was often the means of creating difficulty with other sections. It is difficult to provide adequate general rules for control. What is suitable for the control of land agents in their ordinary operations is not suitable for the control of pastoral companies and their operations. In consequence, we find that, because the provisions of the Act are not particularly stringent, it is possible for land agents and land salesmen to undertake activities that are undoubtedly harmful to the public generally.

I do not say that this is the case generally, but the cases which occur and which concern members of Parliament are far too many for comfort. The question is: what precisely should we do about this? A suggestion which was widely made and which I think found support from the Attorney-General at one time was that we should have some form of certification by a professional officer, or other suitable person, of contracts involved in the sale of land or businesses. It was not to be limited only to solicitors, but there was grave difficulty in country areas in providing this kind of control. Certainly, land agents were not particularly happy about having solicitors involved in work of this kind, and all sorts of suggestions were made, quite without basis. This was the thin end of the wedge to get a sliding scale on real estate transactions such as existed in solicitors' practices in other States, a proposal against which I certainly had always set my face, and I imagine the Attorney-General would agree. There are real difficulties about producing satisfactory solutions to the problem, and while one is debating alternative solutions members of the public unfortunately get hurt.

The provisions of this Bill really revolve around two questions: first, that the granting of licences for the sale of businesses is now to come under the same board as administers the Land Agents Act; and secondly, that

somewhat more stringent provisions relating to qualification and admission to licence will apply to land agents and land salesmen. There will be means of more stringent control by the board. Frankly, I do not think that as yet this goes nearly far enough. I do not think that I am being in any way unkind to the board in saying that in many cases at present its administration of the Act is perforce ineffective, and I do not think that condition is cured by the provisions of the Bill. Where there are disputes as to the facts surrounding the making of a contract for the sale of land obtained by a land salesman or a land agent, the board has constantly found it difficult to establish exactly what the position was and, unless the protesting purchaser could discharge a sufficient onus of proof to go before the court, the board considered it could take no effective action.

This happened in many cases indeed, and the Attorney-General must know about them as well as I, because the Secretary to the Attorney-General is Secretary to the board, and the board sits in the Attorney-General's office every Friday. The difficulties facing the board are clear. I consider that far more stringent powers need to be given to the board to put the onus on agents. Agents should be able to show clearly that their activity is above suspicion, and it is difficult at the moment to obtain through the administration of the board the same control over activities as obtain with a professional organization, simply because the amount of time invested by a land agent in getting a land agent's licence is often much less than is required for entry to the professions. Therefore, the loss of his licence is not so great a penalty compared with the profits that can be made from some activities that have been condemned from time to time (and condemned unanimously by members in this House).

The balances in these circumstances are different from the balance that exists in the case of professional organizations where the loss of a man's professional qualifications means the end entirely, and where the profits he can make subsequently are much less than those to be made in this particular sphere. The provisions of the Act should be tightened up considerably. In addition, I think we need to provide what the Real Estate Institute has constantly suggested, namely, a regulated form of contract. I do not think that the contract for the sale of land provided as a general rule by the institute itself is at all satisfactory; it is drawn wholly in favour of the vendor. In the present circumstances, where an agent purports to act for both parties, but is really interested in getting the sale for the vendor and in getting his commission, we do not get the sort of independent protection that exists much more extensively, I may say, elsewhere. Nor do we get a sufficient control to see that there is adequate protection to the purchaser.

I think that, if we prescribe a form of contract and limit the special conditions that can be added, we shall be going some way towards solving the problem. If we provide also that the board has rather greater powers than it now has and can require a greater standard of proof of probity from agents in questionable cases, then perhaps we shall get a little tightening up in the areas that need it, and we would not face the reputable agents with any difficulties. It seems to me that we must get around this sort of thing that happens now very widely. A land agent or salesman will go along to a prospective purchaser and, in persuading him to buy, will say, "I can get you temporary finance until you can obtain a bank mortgage; so you can apply for a bank mortgage, and this temporary finance will cover you until you get it." Then there is written in sometimes on the Real Estate Institute form a condition that says that the purchaser will apply at the earliest possible time for a mortgage to one of the following institutions. The unfortunate purchaser thinks that means that he will get bank finance.

How many cases turn up in lawyers' offices or in the Attorney-General's office where this has happened? You explain to the person that it does not mean anything of the kind: the clause gives him no protection whatever. If he does not get bank finance he is on second mortgage finance from a finance company at extraordinarily high interest rates, and often he is faced with a commitment far beyond what he expected to make. What protection does the Bill give such people? At the moment the Bill will not clear up such situations. This is an area where we need to take action because the investment in a house is usually the largest investment the average person makes in his lifetime: it is where his savings go and where he expects that his major future commitment will be. We should see to it that the conditions under which he makes this investment and commitment are clear to him and that he is given reasonable protection and proper remedies.

Mr. Clark: It's a commitment of which he has no previous experience.

The Hon. D. A. DUNSTAN: He does not have the experience; that has been obvious from the fact that, despite the provisions of the Real Property Act, the average citizen in the community does not realize that he can get protection by searching a title. Many British migrants, particularly, come here and sign up for properties, thinking that because they are dealing with a licensed land agent that, in itself, gives them protection. They do not realize that it is necessary for them to have an intelligent search of the title, so there is the business that occurred at Fairview Park and in the other places that collapsed. Those people were being sold mortgaged land and, when the developer went through the hoop, they had their properties taken from them by the mortgagors. Although I support the second reading and approve the Bill as it stands, I think we need to take extra steps.

Mr. JENNINGS (Enfield): In supporting the Bill, I appreciate what the Attorney-General is attempting to do in this case and support what the Leader of the Opposition has said. I consider that, although the Bill as it stands is commendable, it does not go nearly far enough. I remember that 15 years ago the Land Agents Board seemed to be able to ensure that justice was obtained on behalf of people who dealt with land agents or land salesmen. Although the board's powers have not been diminished, land agents and land salesmen may have become very cunning. Alternatively, it may be that many people from overseas have purchased houses unaware of the pitfalls attendant on such a purchase. I consider that if the amendments, which no doubt the Leader of the Opposition will move, are carried, a worthwhile Bill may result. As it stands, however, the Bill achieves very little. I do not think there is any need for the Attorney-General to frown as I say that, because I have already commended him for trying to make some progress in this matter. Surely, he will admit that this is a very vexed problem and that even he cannot solve it in one bite.

The Leader of the Opposition talked about the many things that could happen to people who were deceived, particularly by land agents. For a change I do not want to use inflammatory language on this occasion, but I think that all members have had plenty of experience of the kind of thing the Leader of the Opposition talked about. Some of the things I have read about and some of the contracts I have seen (and, no doubt, you, Mr. Speaker, and every other member knows this) are not rare: they happen every day and, naturally, many more of which we are not made aware must happen. In addition, there is the promise made before a contract is signed: "Oh, yes, we can give you an assurance that in a few months' time the water will be connected here or the sewerage will be connected to this area," and things of that nature. These people are just being fleeced: there is no other word for it.

That is the kind of thing I would like a Bill of this nature to cover and these are the people I should like to see protected. Undoubtedly (and I admit that I am just as guilty of this as is anyone else, because it is natural and human enough to do so), we all criticize land agents, land salesmen and business agents as a group because of the actions of what seem to be a majority but which are probably only a few; so that the honourable members of this business suffer just as much as the people who engage in very dangerous practices. I do not want to say more than that, but I hope that before this Bill enters the third reading it will be tidied up so that we will have a really worthwhile Act.

Mrs. BYRNE (Barossa): I, too, support the Bill. As a representative of an area which is developing rapidly and in which a tremendous number of property transactions is taking place, I know it is not uncommon for some of these transactions to be harmful to the purchasers. As stated by the two previous speakers, many of these unsuspecting purchasers are migrants and it is not unknown for some of these people to purchase a house when they have been in the country for only one week. They believe that they are protected because the transaction is being conducted by a licensed land agent. Some of the methods used to sell these properties are harmful and misleading, but such methods are not practised by all land agents or land salesmen, most of whom are reputable. As the member for Enfield (Mr. Jennings) said, at times some agents suggest that water and sewerage facilities will be installed at once, that a primary school will be erected within a year or even a few months, and that a telephone will be connected immediately the property is purchased. However, some purchasers who need a telephone for business reasons find that they cannot get a telephone connected for at least two years.

I know of one speculative builder who built some houses facing vacant land and people purchased these houses after being told that the land opposite was to be a playground for children and a reserve. After the houses had been

sold the builder built houses on the vacant land but nothing could be done about it because there was nothing in the contract to show that the land had been set aside for the purpose stated. Last weekend some people told me about a proposal to erect a hotel in a certain area and said that they had been led to believe by a land agent when they purchased their property that the site where this hotel is now to be built would in fact be a reserve, and they bought the property because of the gum trees on the site.

It seems to be the practice of some land agents to make a sale at any price knowing that some people who are purchasing properties cannot possibly keep up the payments; a comparison of their income with their commitments would prove this. After a short time these people are forced to vacate the premises, but the land agent has received his commission for selling the property. It must be obvious to everyone that purchasers need protection in the instances such as those to which I and previous speakers have referred. As I believe that this Bill will not cover all those things to which I have referred and about which other members could speak, I hope it will be amended in Committee to cover some of the instances I have mentioned.

The Hon. C. D. HUTCHENS (Hindmarsh): In supporting the Bill, I rise only to say that a constituent of mine has had a bad experience as the result of the malpractices of a person who, while practising as a land agent, concentrates on our new citizens. Having said this, I acknowledge that there are many honourable people amongst land agents, but we do find the sharpshooters. I am deeply grateful to the Good Neighbour Council, which came to my assistance and to the assistance of a person whom I will not name because I believe the matter is being considered by the Land Agents Board.

A couple from the United Kingdom worked hard and saved money not only to provide for their passage to Australia but to set aside a sum that would enable them to purchase a home. They told a person in the Commonwealth hostel that they wanted to purchase a house and he immediately referred them to a land agent. They paid a sum, which they had saved, as a deposit only to learn that they had paid $2,000 more than the true value of the property. The story almost had a tragic ending. I think the Attorney-General may have some knowledge of the case to which I refer.

The Hon. Robin Millhouse: Yes.

The Hon. C. D. HUTCHENS: I only rose to make this case known and to recommend strongly to our new citizens that, if they are contemplating purchasing a house, they should first go to the Good Neighbour Council for advice and guidance. I express my appreciation, and compliment the Good Neighbour Council on the guidance that it has given many of our new citizens. I am confident that, if our new citizens go to the Good Neighbour Council, they will be helped freely and wisely, that many of the complaints we get today will not come forward, and that land agents in general will not suffer the condemnation, some unjust and some justifiable, that they receive at the moment. I look forward with interest to the amendments that may be moved in Committee.

The Hon. ROBIN MILLHOUSE (Attorney-General): I very much appreciate the support for the Bill expressed by honourable members. I am open, as I always am, to amendments suggested when we get into Committee, but I cannot say at this stage whether or not I shall be able to accept the amendments honourable members have in mind. I understand the Leader is drawing amendments that may require an instruction. I do not want to prevent his doing that, so we do not want to take the matter through the second reading today. Therefore, I ask leave to continue my remarks.

Leave granted; debate adjourned.

BUILDERS LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 18. Page 3078.)

Mr. LAWN (Adelaide): I oppose the Bill. I have read it, which is more than some Government members, particularly the member for Stirling, can say.

Mr. McAnaney: That's a lie.

The SPEAKER: Order!

Mr. LAWN: It is not a lie. The honourable member said last night that clause 16 referred to a person who got a builder to build a house and lived in it for two years. Does the honourable member deny that?

Mr. McAnaney: I did not say that.

Mr. LAWN: The honourable member said that it was for two years. Let him look at *Hansard*.

The SPEAKER: Order! Honourable members cannot have a conversation.

Mr. LAWN: The member for Stirling accuses members on this side of not having read the Bill. I am telling him that he has

not read it, for the clause to which he refers makes no reference to time, as we interjected last evening. The honourable member was not capable of replying to interjections, as he had not read the Bill.

Mr. Corcoran: Can he read?

Mr. LAWN: I am not sure that he can. Now he is asking the member for Albert (Mr. Nankivell) whether he made that statement.

The SPEAKER: Order! I do not think honourable members can discuss the capabilities of the member for Stirling.

Mr. LAWN: I am not discussing his capabilities but am talking about what he said last evening. Clause 16(b) inserts new subsection (12a) which provides that it shall not be unlawful for a person, who is not the holder of a general builder's licence, to construct, cause to be constructed, or undertake to construct a house or dwelling for another person if he has received from that other person a notice in writing to the effect that the house or dwelling is intended for that other person's personal use and occupation. That is all the builder needs. A person who lives in the house for, say, a month can then sell it.

Mr. Broomhill: He need live in it only a week.

Mr. LAWN: Yes. He does not even have to live in it, provided that he has given notice to the builder that he intends to live in it. Perhaps the member for Stirling will read the Bill. He also said last evening that a builder had to build a building according to specifications. I will deal with the specifications in a case where a house was built by a colleague of the honourable member. This person is a member of the Liberal Party who makes his living building and selling bodgy houses, and he does not work to specifications. He is a prominent member of the Liberal Party, having been a candidate at a recent election.

Mr. Rodda: That's a strong statement.

Mr. Corcoran: An unsuccessful candidate.

Mr. LAWN: Of course; he is just as unsuccessful in politics as he is as a builder. Unfortunately, because this Government has not proclaimed the Act passed by the Labor Government in 1967, this man is able to carry on business. The Act that this Bill seeks to amend was passed by the Labor Government and assented to on November 16, 1967. Now, two years later, the Government has not proclaimed it. Although it was assented to when the Labor Government was in office, that Government did not have an opportunity to proclaim it, because it was dismissed from office on your casting vote, Mr. Speaker.

Although the Governor saw fit to ask the then Premier (Hon. D. A. Dunstan) to form a Ministry and to carry on in office, you, Sir, said that the Government should go out, and that decision was contrary to views expressed by Sir Alister McMullin and Sir John McLeay, both of whom have said that a Speaker should never dismiss a Government from office on his casting vote. Mr. Speaker, you have amendments to the Bill on the file that would have been unnecessary had the Act been proclaimed.

Mr. Corcoran: He might have supported it in 1967.

Mr. LAWN: Yes. In fact, as the Bill is so shoddy and crook and seeks to protect shoddy and crook members of the Liberal Party, I am most surprised that the Minister of Housing has introduced it, because he has always led us to believe that he is a man of principle. Having believed that, I am most surprised that he has introduced this Bill. Had he really understood what it meant when he introduced it, he might have refused to do so. To substantiate that point, I point out that some of the things the member for Glenelg said about the Bill were denied, by interjection, by the Minister. For instance, the member for Glenelg said:

> I am not sure what the administrative and legal consequences will be of effectively exempting all tradesmen from the requirement of obtaining a restricted licence, because in most cases the paint work, the plastering work and the carpentry work would each cost less than $500.

The Minister of Housing interjected, "Oh no!" The member for Glenelg said, "Oh, yes! The Minister may say, 'Oh no'." The Minister of Housing interjected, "The honourable member can say, 'Oh yes,' too. He knows he is wrong."

Mr. Broomhill: He's definitely right.

Mr. LAWN: The member for Glenelg is definitely right and the Treasurer has since got the message, because the member for Murray and the member for Stirling both indicated last evening that they thought $500 was too high. In view of the Minister's denials of this statement when it was made by the member for Glenelg, they would not dare to say the figure was too high unless they had been told by the Minister that it was and that he had received the message from the member for Glenelg, made inquiries and now knew that, if the Bill went through, no houses would be subject to its provisions.

Mr. Wardle: It had nothing to do with the member for Glenelg.

Mr. LAWN: No-one can tell me that; the honourable member should not be so stupid

as to say it. The Minister disagreed with what the member for Glenelg said on November 6, but since then he has found out that he was wrong. Because the member for Glenelg pointed this out to him, the Minister checked. I do not say he accepted the word of the member for Glenelg but, as a result of what the member for Glenelg said, the Treasurer had inquiries made and found that the honourable member was right. Of course it had something to do with the member for Glenelg, because only 13 days ago the Treasurer was saying that the honourable member was wrong. A further challenge by the member for Glenelg that the Treasurer refused to accept is reported at page 2817 of *Hansard*, as follows:

Mr. HUDSON: That is not so because, as the Minister (if he cares to check) will find, there are many cases where carpentry work carried out on a house would be less than $500. If I can demonstrate that the carpentry work, the plastering work and the painting work required in relation to a house cost less than $500 each, will the Minister move to delete this provision from the Bill?

The Treasurer would not accept that challenge, but he has since accepted the invitation of the member for Glenelg to have the position checked and has now told his members that he thinks $500 is too high. The member for Murray and the member for Stirling have said they think it is too high, and it is.

Mr. Broomhill: They wouldn't have been able to work it out for themselves.

Mr. LAWN: No. The member for Stirling probably could have told us, if he was able to work out prices, what it had cost him to build his tankstand. After he had bulldozed it down, it was still standing!

Mr. Broomhill: The member for Victoria said only a doll's house could be built for $500.

Mr. LAWN: Yes, he said the member for Glenelg was building only dolls' houses.

Mr. Rodda: Do you paint your own house?

The SPEAKER: Order!

Mr. LAWN: No. Last year I had the outside of my house painted for $136, not the $500 mentioned in the Bill. I thank the member for Victoria for that interjection. The cost of painting inside a house would probably be less than $136, and the Act passed by the Labor Government specified that any house painting that cost less than $100 was exempt. If the cost was more than that amount, the work came within the definition. I know reputable master painters who want the Act left as it is, as they want to come under its provisions.

Mr. Rodda: Did you supply the paint?

Mr. LAWN: No, the price included the cost of labour and paint and the cost of taking off the old paint and applying primer and finishing coats. It was a 100 per cent job.

Members interjecting:

The SPEAKER: Order! There is too much conversation.

Mr. LAWN: The member for Murray has said that hundreds of young people put their life savings into purchasing a house, yet he wants to allow such a house to be built by unqualified labour.

Mr. Wardle: Did I say that?

Mr. LAWN: Well, I have said the honourable member did, so he can take my word for it.

Mr. Wardle: That's different.

Mr. LAWN: The member for Stirling is still trying to find out whether he made a statement I attributed to him, but he has not denied it. Apparently, the member for Murray did not know what he was saying, either. I tell the member for Murray that not only do young people put their life savings into purchasing a house: they borrow thousands of dollars on mortgage from banks or other financial institutions to complete the purchase. They are entitled to have a good house built to the specifications set out in the contract.

I diverge to refer to this Government's boast about its migration programme since the Labor Government went out of office. A firm engaged in the building industry announced some time ago that it was sponsoring the migration to South Australia from England of the Torpedoes, a soccer team, and all the members of the players' families, as well as their pedigree dogs. However, since it has become known that this Government is breaking down the provisions of the 1967 Act, the sponsorship of this team has been "torpedoed". The team will not come now, nor will the wives, children and pedigree dogs. The 1967 Act was passed by the Labor Government.

Mr. Nankivell: It was passed by Parliament.

Mr. LAWN: All right, it was introduced by a Labor Government and passed by both Houses of this Parliament. However, the Stott-Hall Administration seeks to undermine and torpedo it by the provisions of this Bill.

Mr. McAnaney: We have improved it greatly.

Mr. LAWN: The Government is not improving the Act. The tense used by the honourable

member shows that he thinks that the Government has improved the Act already, but until this Bill passes the Act is not altered. The present intention is to undermine the legislation. Reputable builders support the 1967 Act. That legislation had the support of all sections of the building industry, including master builders and trade union members. This Bill is to protect the shoddy and bodgy builder, and members opposite have one of these as a members of their own political Party. I have said that one was a candidate at a recent election. He makes his money by jerry building and selling the houses to hick buyers.

I will tell members opposite what is happening in the building industry. I want to speak about a house that was built not far from the city by the person to whom I have just referred, who is a prominent member of the Liberal and Country League. I have known the couple for whom it was built since before they were married two years or three years ago. I knew of the troubles they had when the house was being built and, when this Bill came before Parliament, I asked them for particulars of their difficulties. I have compiled a list of these difficulties, which states:

(1) The foundations went down in late January and the dwelling was completed in mid-October, 1969, which meant that it took 8½ months to build an uncomplicated house of about 13½ squares.

(2) Incorrect wall tiles were installed in the bathroom and toilet initially, and these had to be removed and replaced by tiles as chosen.

(3) Incorrect bath, basin and toilet cistern installed and these also had to be removed and replaced.

Mr. McAnaney: Evidently it was not built to specifications.

Mr. LAWN: Of course it was not, but last evening the member for Stirling said that houses had to be built to specifications.

Mr. McAnaney: You said that these things had to be replaced.

Mr. LAWN: Yes, because the young couple insisted on it. These things happened despite the fact that the house had been inspected by bank inspectors, who did not insist on the specifications being observed. If Liberal builders were honest they would not build contrary to specifications and try to get away with it. The statement continues:

(4) Kitchen cupboards, pantry, room divider all varnished before installation: had to be taken out and replaced with new untreated joinery so that they could be stained to match up with adjoining timber work.

(5) In replacing kitchen cupboards, kitchen sink was damaged and had to be replaced.

(6) Hot water service unit installed in the ceiling located well away from points where hot water most needed instead of being close to the adjoining bathroom, laundry, and kitchen.

(7) Practically all exterior timber gutter surrounds and windows were substandard being full of knot holes, warped, chipped, dented, gouged and cracked in parts.

This is a disgraceful situation, particularly for a man who offered himself to the people as a candidate so that he could represent them in Parliament. People who know about his building activities would not have a bar of him, and he got nowhere at the recent election.

Mr. Ryan: They don't want him as a politician or even as a football administrator.

Mr. LAWN: They certainly do not want him as a builder. I will not say anything about the football administrator question, because there may be further developments in that regard. The statement continues:

(8) Areas of painting missed altogether; notably a couple of windows where sections of bare timber are exposed to the weather.

(9) Roofing timbers not tied to brick car port pillars as should be done. Metal ties were hammered on after completion, but these had to be removed as they were unsightly and looked like an afterthought, which they obviously were.

(10) Gas space heater was not installed properly resulting in a fire after about one hour of use that could easily have seen the whole house go up in flames had it not been for an extended conversation before driving our guests home. Water was used to douse the flames when a cupboard above the heater was opened to reveal billowing smoke, and again it was fortunate that water did not contact unsuspected live wires which had been exposed by the fire. The Tea Tree Gully E.F.S. was called in although the fire had been made safe by the time they arrived.

Items Nos. (6) and (10) were the responsibility of the South Australian Gas Company, but the remainder were the responsibility of the builder. Concerning item No. (10), the couple had been in the house only a week when a young couple visited them. The gas heater was operating but, as they were about to take their visitors home, they turned the heater off. One of the visitors said that he thought he smelt something burning, but the house owner suggested that, because it was a new gas heater, one of the ducts had become blocked. The visitor, who worked at the Gas Company, said that he knew there were no ducts in this type of heater. When the cupboards were opened billowing smoke issued forth: one person left to get the fire brigade and the other threw water on the smoke. Had these people left the house to take their guests home it would not have been there when they returned, because there was no flue to take the heat outside the roof. The

heat was going into the ceiling and the woodwork was smouldering.

Mr. Clark: It doesn't seem possible to have these conditions.

Mr. LAWN: It does not.

Mr. Ryan: The builder charged top price, didn't he?

Mr. LAWN: Of course he did.

Mr. Ryan: The member for Stirling said that they cut the price on shoddy work.

Mr. LAWN: The honourable member should realize that for shoddy work builders cut the price to the subcontractors, not to the purchasers. The builder charges the purchaser every penny he can get, but cuts the price to subcontractors. The statement continues:

To conclude on a light-hearted note, we have on arrival home this evening (November 6, 1969) received a small plaque from our builders with their name duly inscribed upon same which "they thought" we might like installed, presumably, just above the front door. Had we entertained any thoughts along this line I think "Whelan the Wrecker" might have been a more likely candidate. In closing I would just like to add that it is a pity that the banks lending the money, or someone in authority, could not act in home builders' interests to see that they get a reasonable house for all the money they outlay. Compared with all the stories that one hears from others, I think we have done quite well when everything is boiled down, but there is still a big room for improvement in the housing industry.

These details were given to me by this young couple, who moved into their house in October this year. The house is in the Barossa District and the member for Barossa, ever since she has been in this House, and other members, have complained about shoddy house building in various districts. As a result of these complaints the 1967 Act was passed by both Houses, but the present Government is trying to wreck it.

Mr. McAnaney: Will this builder have to get a licence under the Bill?

Mr. LAWN: I shall reply to that interjection not on my behalf but on behalf of someone engaged in the building industry: the reply is "No". Recently, the Minister of Housing and the Leader of the Opposition appeared on a television programme to discuss this matter. A master painter who, with other people, saw the programme then wrote a letter to the *Advertiser* that was published last Friday. The day after writing the letter, he rang me and told me what he had done. Because I knew that I would be speaking in this debate, I asked him to let me have a copy of the letter. This letter (and it answers the interjection) states:

Watching televised interview on November 11 of Mr. Pearson and Mr. Dunstan about Builders Registration Act, I can only reflect that we completely lost purpose of same Act—protection of general public against incompetent builders and tradesmen.

Obviously, they will not need to be registered if the Bill is passed.

Mr. McAnaney: Do you believe everything that is printed in the paper?

Mr. LAWN: I did not say that, and the member for Stirling cannot put words into my mouth. I know this master painter. The Master Builders Association has associated with its business an advisory centre to which a person who desires to build a house or to have a painting or plastering job done can go for advice. I did that last year when I wanted my house painted. I asked for the assistance of a good thorough tradesman, and this person was recommended by the centre. He did the job for me, and I am thoroughly satisfied with the work and the price. The letter continues:

Under present amendments to Bill, a tradesman does not require to be registered unless he contracts in excess of $500 value of work at the time.

That is a definite reply to the member for Stirling. The letter continues:

It can also mean that he can contract work worth, say, $2,000, but if it involves five houses he can get away without being registered. All tradesmen contracts in house building are below $500 value, for example, excavator, $100 to $200, same figure for foundation contractor, bricklayer and carpenter requested to do labour-only contracts, $250 to $400. Add to this "building broker" or unlicensed builder of client's choice, and not a single person in housing industry needs to be registered. Trades working on bigger projects involving contracts in excess of $500 are generally under architect's supervision and client is sufficiently protected.

They are the kind of people the Government seeks to protect: the bigger business men who can afford to have jobs supervised by architects. The Government does not represent the people represented by the Opposition: the poorer sections of the community who must mortgage their life earnings (not life savings) to build a house.

Mr. Broomhill: At high interest rates.

Mr. LAWN: Yes, and it takes all their life to pay it off if they are lucky, but probably their children have to pay it off. The letter concludes:

I would like Mr. Pearson to clarify purpose of amended Act—is it for protection of public or just another source of revenue for the Treasury?

It is certainly not for the protection of the house builder.

Mr. Rodda: You're preaching class distinction.

Mr. McAnaney: Why don't you get on to the Bill?

Mr. LAWN: I am sorry that the member for Stirling is unable to understand anything about the Act or the Bill.

Mr. Broomhill: He doesn't want to hear what you're saying.

Mr. LAWN: I do not know that he does not want to hear me; I think he does not understand the business before the House.

Mr. Edwards: Do you?

Mr. LAWN: The member for Eyre can tell the House what he knows about the Bill. Will he tell me what painting, excavation or carpentry jobs will cost more than $500? I hope he will tell me how the Bill will protect the public. I have made it clear that jerry building is going on today and that some of this building is being done by members of the Liberal Party. For 40 years the Liberal Party has been known as the gerrymander Party. The Liberal Party is the protector of the jerry builders of this State. For three years the Labor Government attempted to clean up some of these situations and protect the people. It wanted to give them decent value for their vote at election time in relation to the houses they built, and it had the support of the whole of the building industry, but now the gerrymanderers on the other side want to leave the building industry as it is, because the Bill passed in 1967 has never been proclaimed. I gave an instance earlier this afternoon of a house that had been built by a member of the Liberal Party.

Mrs. Byrne: Unfortunately, it was built in my area.

Mr. LAWN: Yes, and many other crook houses are being built in that area. But this is being done with the full accord of the Government, which does not want to correct the injustices being inflicted on people who build houses but wishes to continue the present unsatisfactory conditions. Despite this, at election time it says, "We represent all sections of the community."

Mr. Edwards: That's dead right.

Mr. Broomhill: But it doesn't get a very good response.

Mr. LAWN: No. I do not know what the member for Eyre meant when he said "dead right". Did he mean that I was dead right in saying that the Government was supporting shonky builders?

Mr. Edwards: No.

Mr. LAWN: I said that the Party opposite represents shonky builders and the jerry building of houses for the ordinary house builders. The member for Eyre said "dead right"; I know that I am dead right.

[*Sitting suspended from 6 to 7.30 p.m.*]

Mr. EDWARDS (Eyre): I appreciate the introduction of this Bill. However, I do not think the member for Adelaide knows much about the measure, because of the way he went on before the dinner adjournment. He seems to think that all builders who make mistakes are members of the Liberal and Country League, but that is not correct.

Mr. Lawn: You're fairly good at making mistakes.

The SPEAKER: Order! The honourable member for Adelaide has made his speech.

Mr. EDWARDS: If any builders were members of the Australian Labor Party the member for Adelaide would think that they were white-haired boys. The honourable member did not say much about the Bill, and the member for Glenelg did not do much except criticize builders whom I know to have a good reputation. That honourable member even said that the Master Builders Association was not doing its job. However, members of the association are good builders, and most of them must be registered.

Mr. Langley: Not to build.

Mr. EDWARDS: They may not be registered members of a union, but most of them are reputable builders. Of course, there are good and bad in all walks of life. The member for Edwardstown also spoke strongly against members of the Master Builders Association and similar people. Having worked with builders and having had a member of the association build a house for me at Darke Peak, I have great confidence in members of the association. The builder whom I engaged subcontracted for all the work, and I defy anyone to prove that persons who subcontract to a reputable member of the Master Builders Association do not do a good job. All of those who worked on our house, except the tiler, were New Australians, and one would not get a finer bunch of men in Australia. Having worked in the building trade, I know what goes on. A builder cannot afford to send to the country a workman whose work he cannot guarantee.

Mr. Casey: Most builders don't want this Bill, so I suppose you'll vote against it, will you?

Mr. EDWARDS: Apparently, the member for Frome does not read his mail. A letter that I have from the Master Builders Association states that it approves of the Bill and has no complaints about the first 15 clauses.

Mr. Casey: You'll vote for what the association wants, I suppose?

Mr. EDWARDS: The association also makes a good suggestion about amendment of the last clause of the Bill. Although much has been said about jerry building, South Australia has many fine buildings.

Mr. Langley: What about gerrymandering?

Mr. McKee: It's a State of jerry everything.

The SPEAKER: Order! There are too many interjections.

Mr. EDWARDS: People in the country cannot get a builder to erect a steel frame shed on the farm, so they must do the job themselves.

Mr. Langley: You're allowed to do that, anyway.

The SPEAKER: Order! Too many members are making speeches at once.

Mr. EDWARDS: If members opposite get the gerrymander out of their mind we may be able to get on with the business. Anyone who has any knowledge of building can erect a steel frame shed. It is a simple job. People must get a jerry-built house if they merely engage the land agent from whom they have purchased the block to build for them. However, a registered builder gives a fair quote and sublets the work to reputable subcontractors, many of whom are registered, and the purchaser gets a good job.

Mr. McKee: Who is registered?

Mr. Langley: No-one is registered at present.

Mr. EDWARDS: I am referring to a registered master builder. Most of the subcontractors known to me who work in the country are New Australian and comprise some of the best subcontractors in the State. They can lay foundations of which anyone can be proud. A reputable builder will first test the soil, because he knows that otherwise trouble will arise later if the soil is bad. I helped a builder to build houses in an area east of Adelaide, and—

Mr. Langley: What was his name?

The SPEAKER: Order! There is too much interruption. I ask members restrain themselves.

Mr. EDWARDS: Members opposite cannot trap me on that, because all those buildings are still standing and few of them are cracked.

Mr. Langley: What was the name of the builder?

Mr. EDWARDS: That is beside the point. Many of these houses have since been sold to other people and are still in good condition; I saw one of them only the other week. I have never been in favour of building houses with brick on edge because, if a man weighing 16 stone leans against such a house, it develops a kink.

Members interjecting:

The SPEAKER: Order! This is not Question Time.

Mr. EDWARDS: Houses should be built with brick on flat because such houses are stronger and more durable. It never pays to build cheaply. Before a house is built the plans for it must be approved by the local council. If people arrange a mortgage with a bank, the inspector from that bank will watch the construction of the house to protect both the bank and the client.

Mr. Langley: Do banks allow brick on edge?

The SPEAKER: Order! There is no need for anyone to get on edge.

Mr. EDWARDS: Banks do not stipulate whether a house is to be built with brick on edge or brick on flat, but they do provide additional finance if a house is built with brick on flat, because it is more durable. Most members who have spoken on this Bill have referred to subcontractors. Because many country houses are larger than houses in the metropolitan area, the figure of $500 in respect of individual trades will not go far when such country houses are being built. In the metropolitan area, where many houses are of only 11 or 12 squares, this figure of $500 could be excessive; it could be reduced to $250 or $300.

The subcontractor is usually a reasonably good man, but many problems are created by the men working under him. Of course, the subcontractor cannot be on every job at the same time. One of the bricklayers who worked on my house was only a learner. On one occasion, just before afternoon tea, the foreman, after inspecting the bricks that the learner had laid, said something to him in Italian. Within 10 minutes 2ft. of the wall had been knocked out, and it had to be rebuilt. Thenceforth no more bricks were knocked out of that wall!

During the Second World War I saw much good work and much shoddy building being done at the munitions works at Salisbury. One day I was disgusted to see what was going on; however, about two days later an inspector condemned part of the building. So, the builder

concerned did not gain anything from his shoddy work. I am certain that, if some councils with large areas had two inspectors instead of one, many of these problems could be solved. Many builders will go to no end of trouble to do the right thing for their clients.

I have spent my life trying to help people without asking for reward or recognition. I am just a simple and charitable person, but no-one ever appreciates it. If many people would live by this kind of motto we would be much better off in all walks of life. I support the Bill.

The Hon. R. R. LOVEDAY (Whyalla): In opposing this Bill, let me say first that, after listening to some Government speakers, one would imagine that the Opposition had contended that there were not many good builders. Of course, this is not the case. What the Opposition is contending is that there is enough shoddy building to warrant the licensing and registration of builders in order to ensure that this very important part of our activities is controlled in such a way that good work is done. It is not true to suggest that all subcontractors are dedicated people, as has been said by the member for Onkaparinga: there are good subcontractors and there are some that are by no means good. What astonishes me is the fact that Government members, for as long as I can remember, have always talked about house ownership as being so important. From time to time they have told us that this induces stability in the community and that every encouragement should be given to a wage-earner to purchase a house.

If they believe in that point of view, surely they should be taking action to ensure that house buying is a most attractive proposition, and that a wage-earner will be able to obtain a good article. A house constitutes for him the largest investment he will probably make in his lifetime. He will involve himself in heavy liabilities in undertaking to purchase a house, because rarely has he more than a small deposit and, in purchasing a house, about 25 per cent to 35 per cent of his weekly wage will be needed to meet the interest and principle payments. If we wish to encourage people to buy a house the first essential is to ensure that the house is of good quality, because of the heavy undertaking the person has to make.

Yet, although an Act was passed by both Houses and assented to in 1967, this Government failed to proclaim it and, after holding it in abeyance all this time, the Government now intends to remove its teeth. If Government members had all their teeth pulled out they would not be as effective as people who retained their teeth. This is precisely what is being done to this Act: all its teeth are being extracted and it is being rendered ineffective by this amendment. It shows how inconsistent the Government is in relation to its professed policy of encouraging the purchase of houses by wage-earners.

House-building organizations have probably been the slowest of all industries to adapt themselves to new methods, and this situation is acknowledged in the trade. Little improvement has been made in building methods, compared with the improvements in other industries, and it is an industry in which many opportunities occur for shoddy work, because so much can be covered up quickly during the course of construction. This makes the inspection of houses a difficult task, and makes it difficult for an inspection to be effective. Although we have heard Government members say that council inspectors do a wonderful job in inspecting houses under construction, they generally operate under difficulties. They do not have time to cover the building activity in a district that has a large building programme. Usually, they are present when foundations are poured but, after that, inspections are likely to be infrequent and, to some extent, ineffective, through no fault of the inspector, but largely because of the nature of building work.

In the last few years there has been an increasing quantity of work done in the building trade by unskilled operatives. There has been a lack of apprentices learning the trade and, because of the increasing number of unskilled operatives, inferior work has been done. Many unskilled operatives have become contractors and, as a result, have not been competent to supervise the work done by subcontractors who, in turn, have been unskilled. These people have undertaken to do work at cut rates and, in their anxiety to make a decent wage out of piecework, they cut corners and do inferior work. Much evidence is available to prove this.

I turn now to the activities of the Housing Trust, which has been blamed by Government members for reducing standards of house building by using brick on edge, lower ceiling heights, and generally not doing a good job of building. Although the work of the trust has been criticized, there is not the slightest doubt that the trust has been placed in an

unenviable position in trying to provide sufficient houses for people who have insufficient wages to purchase high-quality or medium-quality houses. The trust has had to cut its building costs and it has cut corners in order to build houses that can be let at a rent that is within the economic capacity of wage-earners to pay. The trust has been in the same position with respect to its purchase houses. Thousands of houses have been built with rooms of a minimum size for convenience and with brick-on-edge construction of interior walls, particularly in rental houses, and contractors have employed subcontractors who have been doing the things that I described earlier.

As member for Whyalla, I have watched closely the activities of the trust in that city, a place where the most houses in a country area have been built by the trust. I have complained particularly about the nature of the work done by subcontractors. This has not been the fault of the trust, but it was trying to cut costs by not employing a sufficient number of inspectors to inspect the building frequently enough to watch people who had undertaken work at cut rates and who were trying to make reasonable wages in that situation. In one instance, as a result of my complaint, another inspector was employed, because it was recognized that the inspector on the job had a load that was impossible for him to carry effectively. Not only did he have to inspect houses at Whyalla but also as far away as Tarcoola and Streaky Bay. That illustration shows how impossible was his task, because in order to have good workmanship the house-building operation must be watched all the time, not some of the time.

The member for Onkaparinga (Mr. Evans) had much to say about Western Australia and about how, although it has registration of builders, it is not very happy about it. I contradict that on the basis of having been to Western Australia some years ago and because, having taken a keen interest in the activities of State housing bodies, I inspected all of them throughout Australia. I found at that time that the housing authority in Western Australia was, in my opinion, the most efficient of all the housing authorities, with the South Australian Housing Trust running a very close second. The cost of houses as shown in the Auditor-General's Report about that time indicated that the cost of production of houses was slightly lower in Western Australia than in South Australia but that South Australia had the second lowest cost houses in Australia.

The effectiveness of the Western Australian housing authority lay largely in the fact that it had plenty of inspectors. I was told by a building inspector there (and I was taken around by the authority's officers) that when one or two builders had failed to do a good job they were told bluntly to take the whole thing down and do it again, and that cured them of that. I found that the quality of the work on the houses built by the Western Australian housing authority was of high standard; indeed, it was better than anything I have seen built anywhere in Australia by a housing authority. To quote the present lag in house-building in Western Australia has nothing to do with this situation: we are talking now about quality, not quantity. There is not the slightest doubt that it is the present boom in Western Australia that is responsible for the lack of houses available there: no-one in his right senses would want to go there and buy a house or a block of land under the present Government because he would never be able to afford it if working on wages.

There are four points in the Bill to which I take objection. One is the intention to enable a workman, tradesman or unskilled tradesman to work without restriction on anything costing under $500, as opposed to the original proposal of $100. I think it has been shown conclusively that this would enable people to work without restriction on practically every kind of contract in connection with house building. The Government now admits that the figure is too high, and there is not the slightest doubt that the figure of $100 the Opposition put on it when in Government was a rational one and would have achieved its purpose; so why depart from it?

The Bill removes the advisory committee, and this is hitting at the very good administrative arrangements the previous Government put into the Act—arrangements which set up a board of people who were not builders, trade unionists or any other particularly interested party in the building game but people who could exercise independent judgment in relation to the kind of advice it would receive from a committee comprising people skilled in the various departments of the trade. This was a particularly good administrative arrangement, but now the Bill seeks to remove this essential committee. The next of the three points to which I take exception is the provision that the builder does not need to be licensed to construct a house or dwelling for another person who says that

it is for his personal use. I regard this as the most ridiculous provision in the whole Bill. It is a loophole through which anyone could drive with the greatest of ease. It means nothing by way of control.

Mr. Jennings: A person could contract out, anyhow.

The Hon. R. R. LOVEDAY: Yes. The person who makes the statement is under no obligation to do whatever he says he will do and the builder does not need to say whether or not he is licensed: it means precisely nothing, particularly to people anxious to evade. The Bill and the original Act deal with people who want to evade, and those are the people we are getting at.

The Hon. C. D. Hutchens: And we want to protect the decent fellow.

The Hon. R. R. LOVEDAY: Yes, we do that as an offshoot. However, the real purpose is to catch the person who evades carrying out proper work and who wants to get away with a shoddy job. I was most amused to hear the member for Stirling (Mr. McAnaney) say that we had to refrain from protecting those people who are not prepared to look after themselves. This is an old story whenever a Bill of this nature is debated. Whenever we propose to offer protection to the public against being taken down, this old chestnut is shot up at us. This is particularly inappropriate in the building construction business because very few people have an expert knowledge of what constitutes building a good house. They are not on the spot when the job is being done, and so much bad work can be easily covered up; even when the job is finished they are not sufficiently competent as a rule to judge whether the house will be a lasting proposition, but must rely on what someone with the necessary qualifications tells them.

In other words, they are purchasers who are undertaking a great liability, lasting 25 years to 30 years in some instances. Consequently, this old chestnut is particularly inappropriate in these circumstances. Having a house built is not the same as going into a shop and seeing an apple that might or might not have bruises on it. If a person is a fool, he will buy the one with the bruises. There is no analogy between that sort of buying and the buying of a house. What is even more amazing is that Government members will presumably support a Bill to register chiropodists. In other words, it is more important to actively protect people when they go to have their feet attended to than when they want to build a house; that is what it comes down to. In the years I have been a member of this House we have had complaints every session about shoddy building. Discussion of these complaints, which could be confirmed on inquiry, has often shocked members from time to time.

One complaint this afternoon was the description of a job that was almost beyond belief; yet it was vouched for by the people who have bought the house and who are the unfortunate possessors. Any number of these cases have been complained of in the House. This does not mean that there are not many good builders in the State; it means that there are enough of these very bad jobs to warrant this kind of legislation. Members of the Government have said that the real trouble with shoddy houses is not the builders but the fact that many of the houses have been built on poor soil. We know there are areas of poor soil in South Australia and that some houses have cracked through insufficient foundations being placed on that type of soil. I have a fairly good knowledge of the Housing Trust's activities.

Mr. Corcoran: You would have more knowledge than anybody else.

The Hon. R. R. LOVEDAY: I have seen cracked houses in Whyalla, for example, yet the Housing Trust has assured me in every case that the whole area has been thoroughly soil-tested. Obviously, the condition of those houses was due not to the soil but to something else. In my opinion, it was due in the main to shoddy workmanship. I am quite sure that of the complaints brought to this House over the years only a few have been in respect of houses being in a bad condition because of the nature of the soil. The very descriptions of those houses have indicated that the bad soil was not the trouble but that it was just shoddy building. So there is no justification for taking the teeth out of this Act, an Act that should have been proclaimed in 1967-68 and should have been in operation ever since the present Government came into office.

I hope members will not pay attention to the specious arguments advanced by some members opposite who, if they are genuine in their concern that house ownership should be encouraged in every direction, should be the first to oppose this Bill and ensure that the Act, which should have been proclaimed over two years ago, is kept intact so that the sections that were and still are in it to control faulty building are effective. Otherwise, the Act will be emasculated to such an extent that it will be

veritably worthless in regard to the aim for which it is proclaimed. I oppose the Bill.

Mr. McKEE (Port Pirie): I register my opposition to this Bill. The member for Eyre (Mr. Edwards) said that all the reputable associations supported it. He must have received some literature, as we all have, from the fibrous plasterers, the ceiling contractors, the master painters and builders' contractors, who have all written expressing their opposition to this Bill. So I cannot understand why the member for Eyre is trying to convince us that this is a popular Bill.

I oppose it simply because I believe it will not be in the best interests of house builders. As it stands, it would make the Builders Licensing Act unworkable, and that is exactly what it seems to be designed to do. It should be the responsibility of a Government to consider the protection of people desiring to build their own houses. As the member for Whyalla pointed out, a Government or anybody in a responsible position should encourage people to build their own houses but, whilst the present problems are with us, people will not build houses because they fear that, when they enter into contracts, they will be gypped by some snide contractor who will use either inferior materials or an inexperienced builder.

Clause 16 of the Bill does the opposite to protecting people. This amending Bill is just a joke. As was pointed out, too, by the member for Whyalla, the $500 would enable contractors to engage in some work associated with the building of a house, and even the member for Eyre said that with a house of between 12 squares and 14 squares an outlay of $500 would enable much work to be done. Therefore, the people concerned would not even need a restricted licence to do this work.

It is hard to believe that the Minister should even think that this legislation will protect house builders. Surely he will not try to convince us that he is endeavouring to protect the public when he knows very well that the Bill is designed virtually to make the Builders Licensing Act unworkable. In my opinion, this Bill is designed to protect people who are capable of protecting themselves.

As honourable members well know, it usually takes a married couple many years of joint hard work to save sufficient money to put down a deposit for the building of their house. They not only save for a considerable time but also when their house is built they can look forward to mortgaging their income for many years to come. Many people today have been gypped by some snide contractor and not only have they lost their savings but also they have to continue paying for the rest of their working lives for a house that is practically falling down around them; it has no resale value.

Mr. Rodda: Did you paint your own house?

Mr. McKEE: Yes, I did. We have had many complaints in this House about inferior and cracked buildings. I know that the member for Barossa (Mrs. Byrne) has many jerry-built houses in her district (whether because of the soil I do not know, but they are there). The people concerned have been left lamenting, and it is obvious that many of them have lost their life savings because of shoddy builders. I will not say that all contractors are not doing their job correctly. No doubt there are many reputable contractors for all forms of building, from the foundations up. On the other hand, owing to the demand for builders today, many people have entered this business just to get a quick dollar.

The Act that this Bill seeks to amend was designed to try to give the public some protection against people who were out to earn a quick dollar. However, the Bill opens the way for such builders to enter into wholesale robbery of the public. I cannot support a Bill that takes away protection from people who really need it, people who have invested their life savings in a house only to find that, if the protections in the Act are taken away, they will be gypped and lose their entire savings. For these reasons, I oppose the Bill.

Mr. GILES (Gumeracha): I support the Bill, the purpose of which, as members on this side have said, is to protect people who are buying their own houses and to protect builders. The Bill does not allow any operation of a shonky builder. The problem existing in the building industry today is that, because builders left the State during a period when little building took place, there has been a shortage of builders. In some cases, a person starts in the building industry and, although he has had a little experience, he has not had enough to be a good builder. The fact that many people are looking for someone to do building work enables this man to find a job. However, as he is not fully qualified, he builds places that are not up to standard, and this is one of our main problems. Most builders in South Australia are reputable, building houses up to the desired standard.

Every now and again tenders are called for a job. When registered builders tender to build a house a certain amount of competition

takes places as to which builder will receive the contract, and tenders are submitted that are not high enough to cover a well-built house. Such builders then cut corners in the building of the houses, and that is where we run into trouble. In fact, often they build houses down to a price and not up to a standard. In many cases, if a house were built to the standard we would all like to see, its value would be greater than the person purchasing it could afford to pay. This means that the builders accepting these contracts have to build a house down to a price, and this causes problems. A house has been built at Stirling East in my district by a registered builder, who operates in a fairly big way, and I have never seen a worse example of house building. This illustrates the point that not all registered builders are good builders.

The Hon. D. A. Dunstan: How did he get his registration?

Mr. GILES: That is what I would like to know.

The Hon. D. A. Dunstan: So would we.

Mr. GILES: The door jamb at the front of this house has not been fitted squarely and as a result the door at the bottom jams while at the top the mosquitoes can fly in without turning sideways. Thus, during summer the front door is never opened and a band of brown paper is placed around the door jambs so that the mosquitoes cannot get in.

Mr. Ryan: Then why do you support the Bill?

The SPEAKER: Order! The member for Port Adelaide is out of order.

Mr. Ryan: I want information.

The SPEAKER: This is the wrong time to ask for it.

Mr. GILES: When it rains in the winter, the house owner's wife has to go around the house putting plastic buckets in the lounge and passage to catch the drips of water that come through the ceiling, yet this house was built by a registered builder.

Mr. Clark: There's no such thing.

Mr. GILES: A licensed builder.

Mr. Clark: There's no such thing as a licensed builder.

The SPEAKER: Order!

Mr. GILES: I brought up this point to illustrate that it is not only the unregistered or unlicensed builders—

Mr. Ryan: There aren't any.

Members interjecting:

The SPEAKER: Order! The honourable member is entitled to make a speech without all these interruptions.

Mr. GILES: I had better clarify this point. The builder to whom I am referring is a member of the Master Builders Association.

Mr. Ryan: That doesn't make him registered.

Mr. GILES: In those circumtances, this builder should have been a top-notch builder, but that was not the case. That illustrates that a builder does not necessarily become a good builder if he is able to get a licence to build. I understand that, under clause 16, subcontractors engaged by the owner of a house to do work would not necessarily have to be licensed. I believe that good houses could be built by subcontractors who were not necessarily licensed. I think I have illustrated the point that sometimes good builders who could become licensed under this Bill may not necessarily build up to standard. I support the Bill.

The Hon. D. A. DUNSTAN (Leader of the Opposition): First, I will endeavour to explain a few things to the member for Gumeracha, who obviously needs an explanation given to him. There is on the Statute Book at present an Act, called the Builders Licensing Act, that this Bill seeks to amend, but that Act is not in force. Therefore, there is no licensing of builders in South Australia, so the whole of the honourable member's speech about the effect of the licensing of builders is nonsense.

There is no such thing as a licensed builder in South Australia, and to be a member of the Master Builders Association one does not have to obtain a licence to build. Indeed, the whole point of the illustration the honourable member gave to the House was that if this Act had been in force his constituent could have gone to the Builders Licensing Board, which would have demanded that if the person who did the job was a licensed builder he should fix it up, and if he was not a licensed builder it would have prosecuted him. The result of not having a provision for the licensing of builders in force in South Australia is the very matter that the honourable member has demonstrated this evening.

I know something about this measure, because I was the Minister responsible for its drafting. I introduced our Bill and attended all negotiations with all sections of the building industry which led to the passage of the Bill. No section of the building industry or of the public wants the Bill now before us. Let

Government members say who is asking for this. No-one is asking for it.

The Bill has been introduced to destroy the Act that is now on the Statute Book, for the same reason as the Government has not proclaimed the Act when it was due for proclamation in June, 1968. That reason was that the present Premier and Ministers of this Government, who say now that they believe in the licensing of builders, bitterly attacked our builders Licensing Bill as being Socialist regimentation; they opposed the whole principle of the measure. Now those people say that they have been converted and that they believe in builders' licensing. They say, "We have not proclaimed it during 18 months of office and now we will put in something that we say will give effect to it." However, this Bill destroys the Act.

The Government is window dressing so that members opposite can say that they believe in builders' licensing, whereas the Bill is ineffective. That is the motive. Who is demanding this measure? Let us consider the various sections of the building industry. The master builders do not want it : they do not support it. They have said reluctantly that they will not oppose the provision that removes the advisory committee, but they oppose the other two major provisions in the Bill. The reason why they are not concerned about the provision that removes the advisory committee is that one member of the board will be a member of the Australian Institute of Building and, as he will be a member of the Master Builders Association, the association has a representative on the board by that means, whereas the other industry associations have not. The Housing Industry Association will not have a bar of any part of the Bill. That was the association that the Premier tried to activate to oppose our measure when it was before the House.

Mr. Hudson: His moves in that direction were "the real McCoy".

The Hon. D. A. DUNSTAN: Yes, just like the electoral chance of the gentleman to whom the member for Glenelg is referring. Members of the Housing Industry Association do not want this Bill. The association specifically opposes the deletion of the provision for the advisory committee. Let me deal with the advisory committee and its purpose, because the Government says that it is mere surplusage and has no administrative capacity. When the registration of builders was being discussed originally, each section of the industry wanted representation on the licensing board, which was to have both administrative and judicial functions, and representatives of the union, the Master Builders Association and the Housing Industry Association were included.

Then the Employers Federation protested that, although it represented a large body of subcontractors, it was not represented on the board. Further, the master painters wanted representation on the board. A whole series of other people got into the act, wanting representation on the builders registration authority. We could not so constitute a board and, if we constituted a board comprising representatives of only some sections of the industrry, those excluded would have considered that they were at a disadvantage. Therefore, we found a simple answer, although the Premier sneered about it at the time, saying that I was vacillating by changing the constitution of the board as a result of representations made to me by the industry.

The solution agreed to by every section of the industry was that we would have a board which was not constituted as representative of sections of the industry but which would have on it qualified people to do the job of administration and to carry out the judicial functions that the licensing authority would have, and there would be an advisory committee representative of every section of the industry, from whom the board could get the necessary technical advice. On matters concerned with the various aspects of their administration, the board could refer to a properly constituted and representative body. It was obvious that they would need advice of this kind to work out the regulations, particularly in relation to the trades that would be the subject of restricted builders' licenses.

Therefore, we agreed to the setting up of the board and the advisory committee, and that was supported by every section of the industry. The only suggestion from the industry for a change in that is not the change that the Government is suggesting (namely, the wiping out of the advisory committee) but that the advisory committee ought to have power to initiate matters that it sends to the board rather than be restricted to matters that the board refers to the advisory committee. That sensible proposal was supported strongly by the Housing Industry Association, the very association to which the Premier had gone when he was seeking to drum up opposition to the whole measure. What excuse has the Government, in those circumstances, for deleting the provision for the advisory committee?

Does not the Government realize what bitter disaffection it is brewing in the building trade by this step?

I do not know how far the Government has gone in divorcing itself from opinion within the industry to be taking a step of this kind, but that is what it has been doing. Not one member of the Government can point to any section of the industry that supports deleting this provision. It is not supported by the master builders, the Housing Industry Association, the Employers Federation, the master painters, the master plumbers, the building unions, or the fibrous plasterers. Why is the Government doing this?

Let us turn to the second proposal, which is that the limitation on the value of work that may be done without a licence of $100 for painting work and $250 in any other case be altered to $500 in all cases. What is the basis of this, and who is asking for it?

Mr. Edwards: You would find that that wasn't far out, if you were building in the country.

The Hon. D. A. DUNSTAN: If the honourable member has an instance of a charge of $500 for work in one trade in the country, I suggest that he refer the matter to the Prices Commissioner, who will investigate it immediately.

Mr. Edwards: I have had something to do with—

The SPEAKER: Order! The member for Eyre has made his speech.

The Hon. D. A. DUNSTAN: The honourable member has yet to show to this House that he knows much about many subjects. Consequently, I suggest that he take a little more cognizance of what is said in this House by other members on this subject, which we have been discussing for a long time and in considerable detail.

Mr. Edwards: If you got a price in the country—

The SPEAKER: Order! The honourable member for Eyre cannot make two speeches on one Bill: one is enough.

The Hon. D. A. DUNSTAN: The figures in the principal Act of $100 for painting work and $250 for any other work are the result of a compromise reached in conference with the Legislative Council when the original measure went through. We eventually agreed to the figure being as high as it is in the principal Act not because we thought it should be as high as that but because that was the only way to get it through another place. The industry associations did not favour its being as high as that; they were in this building during the conference lobbying members of the conference and saying that the Employers Federation of South Australia (and its representative was here at the time) opposed putting the figure as high as that.

The effect of wiping out the figures I have referred to and putting in $500 has been constantly deposed to by members on this side during this debate. It is utter nonsense to suggest that there will be any effective control under this Bill in relation to subcontractors, the people who are to be subject to restricted builders licences under this legislation. If the figure is to be $500 the effect is effectively to wipe out the registration of subcontractors.

In most painting contracts, for instance, to put it as high as $200 would be extremely ill advised. Many painting contracts are for less than this. We should have the right to require that the painting be done by a qualified person and, if he does not do the job properly, he should be subject to the restrictions that the builders licensing authority can place upon him as a result. What is it that Government members are asking for? They are saying that someone should have the right to go to an unlicensed builder, someone without a restricted building licence and therefore unqualified, and ask him to paint a house. Then, since he is not subject to licensing, the only remedy that an ordinary person will have if the painter does a bodgie job will be to sue him.

The Attorney-General, when speaking on his proposal for intermediate courts, deposed to the sort of thing that has to be faced in the Adelaide Local Court. Every lawyer in South Australia knows (the member for Angas knows full well) that it is uneconomic to sue in the Local Court for $200 unless one's case is open and shut. If there is any dispute, one will lose money in the Local Court if he sues for this sum. Consequently, how in the world can the ordinary citizen get any sort of protection or justice? There is no answer from Government members! Again, who is asking for this? Not the master painters, not the subcontractors, not the unions, not the public!

I have heard only one person suggest that he wants this—the Minister of Housing. He has said that he wants to employ an unlicensed builder to do some building for him at Cockaleechie, and the reason he has given is that he wants some freedom—freedom to employ someone who has not the capacity to get qualifications to do the job properly! Next,

we will hear Government members suggesting that there should be freedom for them to go to an unlicensed or unregistered medical practitioner to have an appendix removed—freedom of choice!

Let me turn now to the last proposal, which is that, if a person gets on a document the signature of an intended building owner that the building is to be for his own use and occupation, the builder does not have to be licensed.

Mr. Langley: It is only in connection with building a house, of all things!

The Hon. D. A. DUNSTAN: Let us consider the situation we were discussing earlier this afternoon, the case of British migrants coming to South Australia and the people who have been dealt with by developers, who have in the past often acted as building brokers. It was to cut out people who are not at all qualified in building and who simply use a ragbag of subcontractors to stick up some development that the original measure was largely designed. So, what has happened? Migrants come to South Australia and they go to one of these developers who advertises that he is having a beautiful development in one of the outer suburbs of Adelaide (say, Darlington). Then, the developer can say, "Well, I can sell you a beautiful block here. Just put your signature to this document." One of the clauses in it, of course, is that he will have a house built on the property for his use and occupation.

The ordinary person does not have to be told that the builder is unlicensed—not a word has to be said about that. The developer is not holding himself out as a builder, so no restrictions or penalties apply. The ordinary person has no recourse against such a developer, except to go before the Local Court or Supreme Court and prove negligence in a building contract. Anyone who has tried to act for someone who has litigated a building contract before a court or an arbitrator knows what a costly and almost interminable business it is.

Why is this being proposed? What purpose, publicly or for the trade, is being achieved by putting this in? Only one section of the community can want this, and it has not been very vocal about it; indeed, it has been very secretive. The only section of the community that this will serve is the building brokers. What influence has been placed on the Government that has resulted in this provision? Let the Government point to who has asked for this! It was not the authority. If the Government has had a submission from the Builders Licensing Board on this matter, why has it not tabled it?

Mr. Corcoran: It hasn't got it.

The Hon. D. A. DUNSTAN: Of course it has not, because the board would not suggest such a thing. The Master Builders Association, the Housing Industry Association, master painters, master plumbers, fibrous plasterers, building industry unions, the Employers Federation and the subcontractors association do not want it. Why is it there? It is there to provide a loophole to destroy completely the protection that it was originally designed that the Act should provide for the public of South Australia. This whole proposal has been worked out over a period to leave builders licensing in South Australia a mere sham and facade. Obviously, the Government did not intend to proceed with effective builders licensing in South Australia because it opposed it. However, it would not repeal the Act, because that would have created an obvious confrontation with the various sections of the building industry and the Government could not justify that action publicly, so what the Government has done is produce this Bill and say that it is a measure to obtain protection for the public of South Australia.

Mr. Corcoran: Actually, it is an insult to the intelligence of everyone involved.

The Hon. D. A. DUNSTAN: I'll say it is! People in South Australia are a little sick of having their intelligence insulted in this way, and they will not stick with this thing. It is important that the House defeat this measure, because there is no justification for the three major changes that the Bill makes and the minor changes are not worth discussing. I ask the House to vote against the second reading.

The House divided on the second reading:

Ayes (17)—Messrs. Allen, Arnold, Brookman, Edwards, Evans, Ferguson, Freebairn, Hall, McAnaney, Millhouse, Nankivell, Pearson (teller), and Rodda, Mrs. Steele, Messrs. Teusner, Venning, and Wardle.

Noes (17)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan (teller), Hudson, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Ryan, and Virgo.

Pairs—Ayes—Messrs. Coumbe and Giles. Noes—Messrs. Hughes and Riches.

The SPEAKER: There are 17 Ayes and 17 Noes. There being an equality of votes, it is necessary for the Speaker to give a casting vote. I give my vote in favour of the Ayes.

Second reading thus carried.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

CROWN LANDS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

ENCROACHMENTS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

HIGHWAYS ACT AMENDMENT BILL (VALUATION)

Received from the Legislative Council and read a first time.

LAND SETTLEMENT (DEVELOPMENT LEASES) ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

LAND TAX ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

LAW OF PROPERTY ACT AMENDMENT BILL (VALUATION)

Received from the Legislative Council and read a first time.

LOCAL GOVERNMENT ACT AMENDMENT BILL (VALUATION)

Received from the Legislative Council and read a first time.

PASTORAL ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

SEWERAGE ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

WATER CONSERVATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

WATERWORKS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

CHILDREN'S PROTECTION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ADJOURNMENT

At 9.9 p.m. the House adjourned until Thursday, November 20, at 2 p.m.